



FREEDOM OF INFORMATION AND PRIVACY ACTS

SUBJECT: Roy M. Cohn

FILE NUMBER: 58-5100

PART: 2 of 23



FEDERAL BUREAU OF INVESTIGATION

SUBJECT Roy M. Cohn

FILE NUMBER 58-1232

VOLUME NUMBER 1

70 pages

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FEDERAL BUREAU

OF INVESTIGATION

NATIONAL ARCHIVES

INVESTIGATION

Serial File Number

also see Serial File Number 100-100000
Sub B - Name of person

58

1932

Serial

Volume Number

28

THE FOLLOWING FD-302 TURNED OVER TO USA MORGENTHAU
BY SA [REDACTED] 9/18/63

100 CONFIDENTIAL SOURCE [REDACTED] b7D
99 " " [REDACTED]
98 " " [REDACTED]
97 [REDACTED] 5/24/62
96 [REDACTED] 5/24/62 b7C
95 [REDACTED] 5/24/62
94 [REDACTED] 5/24/62
93 [REDACTED] 5/24/62
92 [REDACTED] 5/24/62
91 [REDACTED] "
90 [REDACTED] "
89 [REDACTED] 5/22/62
88 CONFIDENTIAL SOURCE [REDACTED]
87 " " [REDACTED]
86 [REDACTED] [REDACTED]
85 [REDACTED] 4/18/62
84 INFORMATION OBTAINED FROM [REDACTED] 4/18/62 b7C
83 CONFIDENTIAL SOURCE [REDACTED]
82 " " [REDACTED] b7D
81 " " [REDACTED]
80 [REDACTED] 4/6/62 b7C

RETAIN AS TOP SERIAL IN FILE

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-NEW)

DATE: 3/22/62

FROM : SUPV. [REDACTED] #23 **b7c**

SUBJECT: MORTON ROBSON,
ROY COHEN
BRIBERY

Conference 3/21/62

At the office of the USA, SDNY, attended by SAC
HARVEY G. FOSTER, SA [REDACTED] and SA [REDACTED] **b7c**
the following was noted:

USA ROBERT M. MORGENTHAU stated that SAMUEL
GARFIELD and ALLARD ROEN had taken felony guilty pleas on
the United Dye and Chemical Corporation indictments obtained
11/2/60.

The USA's office has been in contact with [REDACTED]

DO NOT DESTROY

58-1232-1

ORIGINAL
SUPV. **b7c**

SECT 23

b7c

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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b5
b7C
per
EOUSA

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8/20/59 was the last day evidence was presented to the Grand Jury in the United Dye case. 8/24/59 the summation was presented to the Grand Jury. The indictments were returned 8/25/59.

b7c [REDACTED] in FBI interview, on [REDACTED] case, took the position that the four should not be indicted at request of the USA and their names were not mentioned by the AUSA.

b7c

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Per
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3/26/62

PLAIN TEXT

AIRTEL

TO : DIRECTOR, FBI

FROM : SAC, NEW YORK (53-NEW)

SUBJECT: MORTON ROBSON; ET AL
BRIBERY

ReDUairtel to NY, dated 3/23/62.

Enclosed herewith are four copies of a letterhead memorandum prepared in this matter. Information contained in this memorandum was furnished by ROBERT M. MORGENTHAU, USA, SDNY, at a conference held at the Office of the USA and attended by SAC, HARVEY G. FOSTER, SAS [REDACTED] and [REDACTED].

The Bureau will be kept advised of all new developments in this matter.

3-Bureau (Encls. 4)
1-New York (53-NEW)

1-Supervisor #23

58-1232.5

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file #?

Amended page 1 inserted
+ old page stapled to
back of series 4.
Amended page added
by E/S dtd 3/24/62
5/30/62 b7C

b7C

F B I

Date: 3/29/62

Transmit the following in _____
(Type in plain text or code)

Via TELETYPE URGENT
(Priority or Method of Mailing)

TO : SAC, LOS ANGELES

FROM : SAC, NEW YORK (58-1232)

SUBJECT: MORTON ROBSON
FORMER AUSA, SDNY;
ROY COHN
BRIBERY

USA, SDNY, ADVISED ALLEGATION RECEIVED FIFTY
THOUSAND DOLLARS PAID TO ROY COHN AND MORTON ROBSON, FORMER
CHIEF ASSISTANT, USA, SDNY, IN ORDER TO HAVE SAM GARFIELD,
IRVING PASTERNAK, ALLAN SWANN, AND ALLARD ROEN NOT INCLUDED
IN NINETEEN FIFTY NINE INDICTMENT REGARDING UNITED DYE AND
CHEMICAL CORP. [REDACTED]

[REDACTED]

1 - New York (58-1232)
1 - Bureau (AM)

58-1232-6

1 - Supervisor, #23

Approved: _____
Special Agent in Charge

Sent 2 24 M

Per [Signature]

F B I

Date:

Transmit the following in _____
(Type in plain text or code)

Via _____
(Priority or Method of Mailing)

NY 58-1232

LOS ANGELES IS REQUESTED TO CHECK [REDACTED]

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FOR INFORMATION OF LOS ANGELES [REDACTED]

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LOS ANGELES EXPEDITE INVESTIGATION.

- 2 -

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

Ex-Senator Got 100G Bribe In Stock Probe, Court Told

By NORMA ABRAMS and HARRY SCHLEGEL

The late George H. Bender, former Republican Senator from Ohio, was paid a \$100,000 bribe to help kill a Justice Department investigation into a \$5 million stock manipulation, a government prosecutor claimed yesterday in Federal Court.

The charge by Assistant U. S. Attorney Gerald Walpin—that Bender was given the money while serving as a special \$20,000 assistant to the Secretary of the Interior during the Eisenhower Administration—caused an uproar in Judge William B. Herlands' courtroom.

Almost to a man, the more than 20 defense lawyers stormed to their feet—yelling for a mistrial on the basis of "false and inflammatory reflections" on Bender. Walpin's remark came near the end of a long opening statement at the trial of 12 men and four corporations accused of conspiracy in stock dealing of the old United Dye & Chemical Corp.

CLIPPING FROM THE

N.Y. News

EDITION Final

DATED 3/7/62

PAGE 5

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58-1232-7

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FBI - NEW YORK	

[Redacted]

b7c



The late George H. Bender
Took \$100,000 bribe?

A Conference Today
Herlands denied the motions, and others for severances for the various defendants. However, he scheduled a 10 A. M. conference today with the lawyers involved, a half hour before the jury reports for duty.

Arguing that he sought to show knowledge of guilt, Walpin said evidence would be presented during the trial to show that one defendant, Samuel S. Garfield, a Clare, Mich., oil promoter, "paid \$100,000 to Bender in order to get this investigation quashed."

Walpin also promised to produce witnesses who will testify that the hundred-grand was handed over with the knowledge of others in the case. Specifically, he named Virgil Dardi of 710 Park Ave., president of Chemoil Industries, Inc., the successor firm to United Dye, and Irving Pasternak of Denver, another oil man.

Lawyers Pop Up

As the defense attorneys started popping up, Walpin went on to say that the money was paid to get Bender's intercession when he was a high government official... to prevent it (the probe) from going forward. That type of evidence is admissible to show guilty knowledge."

In ruling out the mistrial motions, Herlands pointed out that an opening statement is merely

a summary of what the prosecution hoped to prove.

The jovial Bender, who died last June at 64, went to the Senate in 1954 to fill out the unexpired term of the late Sen. Robert A. Taft, of whom he was a strong supporter. He was beaten for reelection in 1956.

Bender was named to the Interior post in 1957 and assigned to the promotion of tourism in Alaska and the Virgin Islands. He resigned a year later.

Held Teamster Post

He also made news later when he was appointed by Teamsters Union boss James Hoffa to head an internal investigation of that union at \$250 a day. He said he requested that the fee be cut to \$125-a week.

In 1959, a Senate committee heard testimony that Bender, while a Senator, pigeonholed a Teamsters inquiry after members of the union in Ohio raised a \$40,000 war chest for him. Bender denied that the money went to him, but said it was possible he had received Teamster support.

The Federal Court case involves charges that the defendants plotted to rig the market and victimize the public in the sale of 575,000 unregistered shares of United Dye in 1955-56.

Hit Bender Bribe Story

By MARVIN STEADMAN

The attorney for one of three defendants accused of conspiring to bribe the late Sen. George Bender charged in Federal Court today that the "Bender story" must have come from some polluted source.

Answering Government charges that the one-time Republican Senator from Ohio had been paid \$100,000 to kill a stock deal investigation, Boris Kostelenetz, lawyer for Virgil D. Dardi, stated:

"Some self-proclaimed conspirator who is either out of his mind or who has exchanged his soul in a deal with the prosecutor" is at the root of the charge.

Accused with Mr. Dardi in

connection with the charge of bribery are Sam Gayfield and Irving Pasternak. The Government alleges that the bribe action took place at a time Sen. Bender was assistant to the Secretary of the Interior.

The three men are among those on trial before U.S. District Court Judge William E. Connelley on charges of stock fraud that allegedly cost investors at least \$5,000,000.

The charges of fraud involve the alleged sale of unregistered shares of United Dye and Chemical Co. stock.

Imprisoned financier Alexander Guterman, former board chairman of United Dye, is expected to be one of the Government witnesses.

CLIPPING FROM THE

N.Y. Journal American

EDITION 7th Sports

DATED 3-8-62

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GUTERMA HEARD AS U.S. WITNESS

Convicted Swindler Tells of
Stock Fraud Maneuvers

By DAVID ANDERSON

Alexander L. Guterma, the convicted stock swindler, testified for the prosecution yesterday in the Federal Court trial of one-time business associates. They are charged with fraudulent stock operations alleged to have cost public investors at least \$5,000,000.

The tall, bald and bespectacled ex-financier, now a patient in the United States Public Health Service Hospital in Stapleton, S. I., was a respectful and cooperative witness. He was convicted early in 1960 of offenses involving the F. L. Jacobs Company, and has been referred to by defense counsel in the present trial as "the meteor of Wall Street, a man of unbalobical cleverness."

Guterma set the stage for the Government's case against the twelve oil producers, business men, lawyers and brokers alleged to have engaged in illegal transactions involving 575,000 shares of the United Dye & Chemical Company in 1955 and 1956. His testimony concerned four of the five top defendants named in the indictment: Samuel S. Garfield of Clare, Mich.; Irving Pasternak of Denver; Virgil D. Dardi of 710 Park Avenue, and Allen K. Swann of Evansville, Ind.

Withheld Information

The witness, at the outset, admitted he had withheld information from investigators of the Securities and Exchange Commission in 1960 when they were examining the affairs of United Dye.

"Was the entire testimony you gave on those occasions the truth?" Guterma was asked. "No," he replied.

He spoke of deals embracing many hundreds of thousands of dollars with the nonchalance of a shopper in a local supermarket. The story, as elicited by Assistant United States Attorney Gerald Walpin, opened with Guterma's move from 70 Wall Street in June, 1955, to another office at 430 Park Avenue, headquarters of United Dye and of Mr. Dardi, its president.

Guterma recalled that two

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N.Y.

Times

EDITION

Late City

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*Mergers
of UOI
and Franklin*

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FBI - NEW YORK	

being sent to the
state prison for a term of
one year to control the
situation. He said he
would like to see the
situation in the future.

The situation in the
state is very serious
and the people are
suffering. The
situation is very
serious and the people
are suffering.

The situation in the
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ILLNESS DISRUPTS STOCK FRAUD CASE

Garfield Suffers Collapse in
Subway—Trial in Doubt

By DAVID ANDERSON

Samuel S. Garfield, a leading defendant in a \$5,000,000 stock fraud trial in Federal Court, collapsed in the subway late on Monday afternoon and was taken to Columbus Hospital for treatment for an internal complaint. As a result, the status of the trial has been left in doubt.

One week ago, when the trial of Mr. Garfield and eleven other defendants opened, the Government charged that he had paid a \$100,000 bribe to the late Senator George H. Bender of Ohio to head off investigators of the Securities and Exchange Commission.

Mr. Garfield, 62 years old, was described in court as an oil producer of Clare, Mich. On Monday he had spent a long day listening to Alexander L. Guterman, convicted swindler, testify on their alleged manipulation of the stock of United Dye & Chemical Corporation.

Prior to the attack on Monday, Mr. Garfield was returning after the court session to the St. Moritz Hotel with Allard Roen, another defendant, who shares a suite with him. Unable to get a taxi in the storm, they took the East Side subway. On the way, Mr. Roen said, his companion doubled over with what appeared to be a heart attack.

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N.Y. Times

EDITION Late City

DATED 3-14-62

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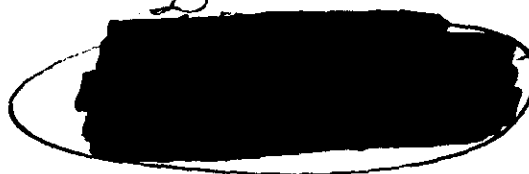
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They got off at the Spring Street station to call for police help. An emergency squad responded and summoned an ambulance from Columbus Hospital. At the hospital, Dr. Louis Michael Rosati, chief surgeon, found that Mr. Garfield was suffering from intestinal hemorrhaging. Blood transfusions were administered and it was said treatment and tests would take about a week.

Judge William B. Herlands told defense counsel yesterday that two physicians, Drs. S. A. Garland of 101 Central Park West and Harry Fein of 3 East Seventy-first Street, had been appointed by the court "in fairness and justice to the Government and the defendant," so that there could be no question as to the medical findings. The jury will be excused until a decision is made on whether to continue the trial without Mr. Garfield or postpone it pending his recovery.

Mr. Garfield has been portrayed by his lawyer, William G. Mulligan, at the present trial, as "no double-domed intellectual but a nice guy" who was one of those "poor devils trapped by Guterma." Mr. Mulligan denied emphatically that his client bribed Mr. Bender, then special assistant to Secretary of the Interior Fred A. Seaton.

Testimony given by Guterma thus far has been intended to support the Government's allegation that Mr. Garfield participated in the fraud as a full partner with Guterma and Irving Pasternak of Denver. Mr. Roen is manager and part owner of the Desert Inn and Star Dust hotels in Las Vegas. Nev. Guterma testified on Monday that Mr. Roe had been nominated as a "dummy" stockholder for Mr. Garfield.

GUTERMA TELLS OF STOCK PARLEY

Says McCormick Was Guest
but Did Not Discuss Plans

By DAVID ANDERSON

Edward T. McCormick, who resigned under fire as president of the American Stock Exchange last Dec. 11, was a guest of Alexander L. Guterma, convicted stock swindler, at Miami in 1955, Guterma testified yesterday in Federal Court here.

Also present at the ten-day Christmas outing in the Isle de Capri Hotel, owned by Guterma, were at least six of the present defendants and co-conspirators in a trial involving the manipulation of United Dye and Chemical Corporation stock.

Guterma, the first Government witness, said much time at the outing had been devoted to discussing proposed mergers for United Dye, disposal of stock and how to obtain the most favorable prices.

Gerald Walpin, assistant United States Attorney, asked Guterma whether Mr. McCormick had participated in the United Dye talks in his Florida penthouse. "He might have," replied the witness. But when Mr. Walpin repeated the question, Guterma paused, then said firmly: "To the best of my recollection, he was not present at any of these conversations."

Mr. McCormick was formerly a commissioner of the Securities and Exchange Commission; he was also the last president of the New York Curb Exchange and first head of the American Stock Exchange. He resigned after it was learned he had told the S. E. C. that Guterma had paid a \$5,000 gambling debt for him in Havana in 1955.

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N.Y. Times

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DATED 3-13-62

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Other Guests Listed

Guterman testified yesterday that the other guests housed in the Isle de Capri included Virgil D. Dardi, then president of United Dye; Samuel S. Garfield, an oil producer; Irving Pasternak, a promoter; and Garland L. Culpepper Jr., a broker, all defendants; and Robert C. Leonard and Robert Eveleigh, who like Guterman, were co-conspirators.

The problem before them, the witness recalled, was how to distribute large blocs of United Dye shares held in the main by Guterman, how to depress the New York Stock Exchange quotation, how to effect a merger enabling them to issue an additional 500,000 shares and then how to acquire a large bloc of these.

In September, 1955, United Dye stood at \$10 to \$13 a share on the exchange. Guterman at that time became chairman of the company, holding about 15,000 shares. Less than two months later the price was about \$38 a share.

BULLETIN

The federal trial of an alleged \$5 million stock fraud case was moved temporarily to Columbus Hospital today after a lawyer for Samuel S. Garfield, 62, a defendant who was hospitalized with bleeding ulcers last week, said his client wanted to enter a guilty plea to one count of the 30-count indictment against him. Two other defendants, Allan K. Swann, 49, and Allard Roen, 41, also pleaded guilty today to parts of the indictments.

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N.Y. World Telegram

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DATED 3-19-63

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3 Admit 5-Million Fraud Guilt

Three men on trial in a \$5,000,000 stock fraud yesterday entered surprise guilty pleas to charges of conspiracy.

One, Samuel S. Garfield, 62, oil producer of Claire, Mich., made his plea in Columbus Hospital where he is confined.

The Federal Court trial, at which imprisoned swindler Alexander Guterman was the government's first witness, involves 12 persons and four firms in connection with dealings in United Dye and Chemical Corp. stock. It was adjourned last week after Garfield became ill.

ALLAN K. SWANN, 60, of Evansville, Ind., and Allard Roen, 41, of Denver, Colo., appeared in court to make pleas before Judge William B. Herlands. Swann pleaded guilty to a single count of a 30-count indictment. He admitted deals to buy company stock with the aim of fixing its price in violation of Securities and Exchange Commission rules. Roen admitted he was guilty of conspiracy.

Judge Herlands then went to the hospital where Garfield pleaded guilty to conspiracy to sell 37,500 shares of unregistered stock and one "overt act" making an agreement Nov. 4, 1955, with Guterman.

Garfield's attorney, William G. Mulligan, said the plea should not be construed as an admission that Garfield paid "any money" to the late Sen. George A. Bender (R-O.). At the trial's start Assistant U. S. Attorney Gerald Walpin asserted Garfield paid \$100,000 to Bender, then special assistant to the Secretary of the Interior, to quash the stock fraud that led to the trial.

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N.Y. Times

EDITION Final

DATED 3-20-62

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**GUTERMA TESTIFIES
IN FRAUD CASE AGAIN**

Alexander L. Guterma, the convicted swindler, resumed his testimony yesterday in the \$5,000,000 stock fraud case being tried in Federal court.

Guterma, the prosecution's first witness, had testified for a day and a half when the proceedings were disrupted March 13 by the collapse of Samuel S. Garfield, a defendant.

Judge William B. Herlands told the jury that Mr. Garfield, Allen K. Swann and Allard Roen, all defendants, would be seen no more in the courtroom. He did not tell the jurors that the three men had pleaded guilty to one count each.

Nine individuals and four companies now remain on trial. Thirty-three were indicted last summer and sixteen were present when the case went to trial.

Guterma continued to describe the activities of the defendants in obtaining, promoting and selling 575,000 shares of United Dye & Chemical Corporation stock in 1955-56.

He will testify again today when the trial is resumed at 10:30 A. M. in the United States Court House, Foley Square.

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N.Y. Times

EDITION Late City

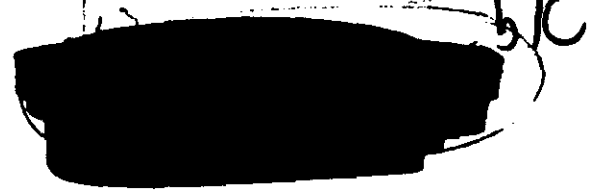
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58-1232



GUTERMA RĒLATES BON AMI DEALINGS

He Tells of Buying Stock to
Obtain Its Free Cash

By DAVID ANDERSON

The story of how a group of alleged conspirators won control of the Bon Ami Company in 1956 so as to loot its treasury of \$3,000,000 was told, in part, yesterday in Federal Court.

Alexander L. Guterma, the convicted swindler, testifying for the prosecution against his former business partners, began recounting the Bon Ami deal. It was considered by investigators for the Securities and Exchange Commission to have been one of Guterma's most fantastic financial operations.

Bon Ami, manufacturer of a cleanser, was not doing well in 1956, but it did have one thing to make it attractive—a very strong financial position.

"Do you recall how much [of it] was cash?" United States Attorney Gerald Walpin asked Guterma. He replied: "Yes, it was \$3,000,000 in excess of current liabilities."

On trial are nine individuals and four companies charged with violation of S. E. C. regulations in the acquisition, promotion and sale of United Dye and Chemical Corporation stock in 1955-56. Among the defendants are Virgil D. Dardi, former chairman of United Dye, and Irving Pasternak of Denver, a promoter.

Hears About Bon Ami Shares

"Mr. Dardi informed me there were some shares of Bon Ami for sale and that if we purchased them we could control the company," said Guterma.

He testified that Mr. Dardi had told him there were 60,000 shares to be had at \$27 each. Guterma then recalled discussing the matter with Mr. Pasternak.

"When I spoke to Mr. Pasternak about Bon Ami and its financial condition, he agreed with me," continued Guterma, adding that they arranged an intricate series of loans among them which, according to the witness, Mr. Pasternak considered "a good idea" and said he would "go along with it."

Messrs. Guterma, Dardi, Pasternak and Samuel S. Garfield, another defendant who has pleaded guilty to the conspiracy charge, needed \$519,000 to pay off a debt to the Murchison brothers of Dallas incurred in another deal, the witness said. Bon Ami, it was agreed, would "help."

Mr. Walpin, in his opening statement on March 6, outlined "the amazing story of United Dye buying control of Bon Ami," with the defendants allegedly "ladling out the company's cash so Garfield and Pasternak could pay the Murchisons."

Objections to the Guterma testimony by defense counsel slowed the proceedings in court yesterday. Guterma is expected to remain on the stand in the United States Court House, Foley Square, for some days. Mr. Walpin told Judge William B. Herlands that the Government would submit proof through Guterma and by means of documents of a "flow of money" among the defendant's amounting to \$4,848,500.

The trial was adjourned until 10:30 this morning.

CLIPPING FROM THE

N.Y. Times

EDITION Late City

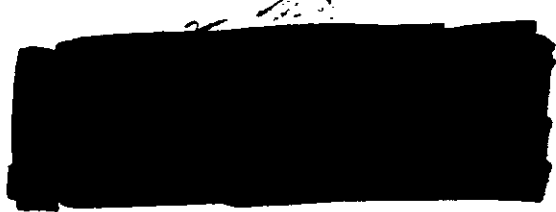
DATED 3/23/62

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58-1232-15



THESE DAYS:

This Lawyer Dared To Fight City Hall

By **GEORGE E. SOKOLSKY**

IT HAS BECOME customary to speak of a lawyer as a calm gentleman who sits behind a large desk, speaks mildly, reads briefs and charges the going fees. The fighting lawyer grows rarer, because it is unpleasant to fight; it makes enemies; it frightens political judges; and it forces public officials, bankers and others to unite on the golden principle that "You can't fight City Hall." Even reporters who used to relish digging up the dirt prefer to be friendly with the press agents of public officials because one step in life leads to another.

Roy Cohn is a fighting lawyer. In private life, Roy is gentle, generous, loyal to a fault; as a lawyer, he absorbs the responsibilities of his clients and becomes emotionally involved in the issue. One day, his public image is that of a brilliant young lawyer and financier; another day, he is a bantam warrior who strikes hard blows for what he believes to be right. They call him brash.

In the bus strike, Roy Cohn realized that his client, Harry Weinberg, while a competent man in the field he knows, is, like so many such men, inarticulate. To put it mildly, Weinberg knows surface transportation, but when he talks he puts his foot in his mouth. Many so-called self-made men are like that, particularly those who have been successful and come to believe the praise showered upon them for their achievements.



SOKOLSKY

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So when Weinberg was being abused by trans-
ferring to him the sins of Mike Quill, Cohn, who might
have sat it out until the matter went before commis-
sions and courts, pitched in and took the fight to the
public. It was a big fight for a little fellow to take on
and he did well by his client, even if lots of his good
friends were annoyed with him for fighting so hard.
They would have preferred gentler blows, but each
man battles in this life as he knows how.

It was like that on the McCarthy Committee
which Roy Cohn managed as chief counsel. Roy's
deeply rooted sense of loyalty makes a traitor particu-
larly malodorous. Often during those days, when he
told me of frightful things he discovered which he
could not absolutely prove in a court of law by the ac-
cepted rules of evidence which are designed to give the
defendant every break, he would ask: "How can intel-
ligent people do such things to a country like this?"

* * *
AFTER the McCarthy job, Cohn turned to the law
and to business. Still in his thirties, he had had an
enormous experience. Graduated from the Columbia
University Law School before he was 21, he had worked
in the United States Attorney's office, where he
handled cases against counterfeiters, the Rosenbergs,
and thenceforth the principal Communist cases. He
afterwards worked in Washington under Attorney
General McGranery.

In the combination of business and law, his suc-
cess has been phenomenal. He not only earned a
fortune for himself, but he built some companies
which now show substantial prospects. In the course
of these activities, Cohn made not only friends but
numerous enemies, which is characteristic of his na-
ture, for just as Cohn is extraordinarily gentle with
his friends, he often is brash, unnecessarily quarrel-
some and seems to set up an unpleasant personality
which is totally unlike him.

He labors without regard to time or effort. I have
spoken to him in New York; got a reply to my inquiry
from Paris or Los Angeles the same day, and saw him
at the Stork Club the following night. Just as the Mc-
Carthy Committee called forth full devotion, so his
present activities as lawyer and businessman turned
every day into a week of work all over the Earth like an
astronaut who has no time. But each job gets done for
whatever commands his immediate loyalty.

He has made powerful enemies during the bus-
strike and those who lost privilege and advantage will
not forgive him readily. But, as is his way, there will be
another fight in the offing and maybe then one will
bring him a different type of satisfaction. I often
think of him as a combination of Max Steuer and
Samuel Seabury and those who believe that such men
are lightly pushed aside have much to learn about the
nature of the ambitionless personality who rises
hard because he has a cause to fight for.

GUTERMA ASSERTS BENDER GOT BRIBE

Testifies \$100,000 Was Paid
in Effort to Block Inquiry

By DAVID ANDERSON

The late Senator George H. Bender received a \$100,000 bribe in the fall of 1957 for attempting to persuade a Government official to call off an investigation of the United Dye & Chemical Corporation, Alexander L. Guterma, convicted swindler, testified yesterday in Federal Court.

Guterma said Mr. Bender had broached the matter of United Dye to Edward N. Gadsby, then chairman of the Securities and Exchange Commission, on a golf course in Washington. Guterma, who was then board chairman of the company, told the court and jury that he had been informed "a great deal has been achieved through Senator Bender."

Mr. Bender, a former Republican Senator from Ohio, was a special assistant to Secretary of the Interior Fred A. Seaton in the fall of 1957.

Witness for Prosecution

Guterma was testifying for the prosecution in the trial of nine individuals and four companies indicted for violation of S. E. C. regulations in the purchase, promotion and sale of United Dye stock in 1955 and 1956.

Assistant United States Attorney Gerald Walpin introduced the matter of Mr. Bender's alleged bribe in his opening statement on March 6. The purpose, he explained, was to establish consciousness of guilt on the part of some defendants.

Guterma quoted Samuel S. Garfield, who pleaded guilty March 19, as having told him that he had got in touch with Mr. Bender and "arranged to pay him \$100,000" to try to suppress the inquiry closing in on United Dye. Guterma said Garfield then asked him to go to Washington and inform Mr. Bender about the company's af-

"I wasn't interested at all," Guterma testified. He said he and Garfield had talked about the "imperative need" for someone "who knew the picture to bring the Senator up to date, to tell him what had to be done."

Finally, he said, he and Garfield agreed to send Hyman D. Lehrich, vice president of United Dye who, like Guterma, is cited as a co-conspirator but not as a defendant.

The plan, Guterma testified, was for Garfield and Irving Pasternak, a Denver promoter, to put up \$50,000 between them; Guterma, \$30,000, and Virgil D. Dardi, president of United Dye, \$20,000. Mr. Pasternak and Mr. Dardi were defendants in the stock fraud trial.

'What Had to be Done'

Guterma said Mr. Lehrich had gone to Washington to discuss the entire matter with Mr. Bender and returned about a month later to report that all had gone as planned.

"Mr. Lehrich said he visited with Senator Bender, told him the areas where something had to be done," Guterma testified. "Senator Bender said he would arrange a golf date with Mr. Gadsby. Mr. Bender, he said, was very open, didn't beat about the bush and said he would do what had to be done."

There was no testimony to indicate that Mr. Gadsby, who resigned from the S. E. C. last summer, had cooperated in any attempt to block the investigation.

Guterma said Mr. Lehrich had told him that he was in correspondence with Mr. Bender memorandum to him on United Dye's affairs. The next summer, in 1958, Guterma said, Mr. Lehrich came to him to collect \$30,000 demanded by Garfield.

"I told Mr. Garfield, through him, that I wasn't bound by this proposition," Guterma went on, "and Mr. Lehrich said I should pay because a great deal has been achieved through Senator Bender."

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Says Dardi Also Refused

Guterma said Mr. Dardi likewise refused to pay his share of \$20,000. "He said he didn't want to have anything to do with it," Guterma testified.

Mr. Bender, who was appointed to his post in the Interior Department by President Dwight D. Eisenhower, died last June.

Judge William B. Herlands instructed the jury yesterday that Guterma's testimony on the alleged bribe "applied only to the defendants Pasternak and Dardi, none of the others."

The Government also questioned Guterma about the alleged activity of Herman W. Brann, an international banker now on trial in the United Dye case. Guterma said he was introduced to Mr. Brann in July, 1956, by Mr. Dardi in the Waldorf Towers apartment of Ira Gudden, board chairman of the Trade Bank and Trust Company.

Mr. Brann's mission, according to Guterma, was to sell United Dye stock abroad on a guaranteed brokerage commission of 15 per cent plus a dollar a share. He was given \$180,000 for this purpose, Guterma said, but dumped the stock on the American market, "so we soon felt it was time to end his little picnic."

The deal was called off and Mr. Guterma retrieved \$60,000, he said.

Mr. Gadsby, who returned to his law practice in Boston and Williamstown, Mass., on his retirement from the S. E. C., could not be reached for comment.

Guterman Supports Bender-Bribe Story

Financier Alexander L. Guterman has corroborated a government charge that the late Republican Sen. George H. Bender of Ohio took a \$100,000 bribe to suppress a stock fraud investigation.

Guterman, now serving a sentence for stock fraud and the key witness in a stock fraud trial, testified yesterday that Sen. Bender received the money late in 1957 while serving as special assistant to the Secretary of the Interior.

Nine men and four corporations are on trial in Federal Court here, charged with the sale of unregistered United Dye and Chemical Co. stock in a scheme which cost the investing public \$5 million. Three other men pleaded guilty to the charges last week.

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N.Y. Star-Telegram

EDITION Night

DATED 3-28-62

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Judge Declares Guterma Failed To Link Dardi to Bender 'Bribe'

Alexander L. Guterma, the convicted swindler, completed his testimony for the prosecution yesterday in the \$5,000,000 stock fraud case on trial in Federal Court.

He had testified on Tuesday that Virgil D. Dardi, a defendant, had said he "did not want to have anything to do with" the asserted payment of a \$100,000 bribe to the late George H. Bender, formerly a Senator from Ohio, in 1937.

Assistant United States Attorney Gerald Walpin had predicted on March 6, in his opening statement, that Mr. Dardi would be implicated. Mr. Walpin conceded yesterday that Guterma had failed "to some extent" in this respect. Judge William B. Herlands told the jury:

"The witness exonerated and exculpated the defendant Dardi with regard to the so-called Bender incident."

However, the judge informed defense counsel, in the absence of the jurors, that he was impressed by Mr. Walpin's opening promise that "witnesses" would testify about the alleged bribe.

Perhaps, Judge Herlands said, someone else might yet link Mr. Dardi with the alleged bribe related by Guterma. He denied a defense motion for a mistrial.

According to Guterma, Mr. Bender was asked to use his influence to quash an investigation of the United Dye and Chemical Corporation by the Securities and Exchange Commission. Mr. Bender was then a special assistant to the Secretary of the Interior, Fred A. Seaton.

Guterma will return to the witness stand for cross-examination at 10:30 A. M. Monday. Nine persons are on trial on charges of violating S. E. C. regulations in United Dye stock transactions.

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N.Y.

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EDITION

Late city

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UNITED STATES GOVERNMENT

Memorandum

TO : SA N.Y. 58-1232

DATE:

4/5/62

FROM :

SA [REDACTED]

SUBJECT:

Morton Robson;
Roy Colm
Bubey

b7c

on 4/5/62 SA [REDACTED]
[REDACTED] RA [REDACTED] advised a check
at the office of Recorder of Deeds
for Rockland County reveals the following:

- (1) - Morton & Ruth Robson
deeded Lot 56 MAP BRUNARD Village
M section 3 B Pearl River NY (68 Douglas
Court Pearl River) to Paul Levin and wife
(Brenda Levin 47 George Ave Pearl River)
by indenture made 8/18/59.
- (2) Above recorded 8/17/59.
- (3) Schwartz and Kobb 3 so made in
Aw-Spring Valley need attorneys for recording
- (4) Above filed Book of Deeds
701 P126

58-1232-25

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b2

Memorandum

TO :

DATE:

FROM :

SUBJECT:

(5) Property sold subject to mortgage made 8/27/53 from Bernard Village Inc to Franklin National Bank of Franklin Square (Recorded 9/3/53 Book 519 p 368).

(6) Mortgage later assigned 3/29/54 (recorded 4/16/54 Book of 11 532 p 245) to Kings Highway Savings Bank.

(7) Original mortgage \$14,550 and at time of sale 12,624.03.

(8) No penalties given

The above for info of file; AVSA Younger ~~was~~ advised 4/5/54. Above requested by AVSA's Mollo & Younger.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, NEW YORK (58-1232)

DATE: 4/6/62

FROM : SA [REDACTED] (#23)

b7c

SUBJECT: MORTON ROBSON, FORMER ASUA;
ROY COHN
BRIBERY

On 4/2/62, the writer met with USA MORGENTHAU and
AUSA IRVING YOUNGER at Mr. MORGENTHAU's office at the US
Court House.

b5
b7c
Per
EOUSA

[REDACTED]

It is to be noted that YOUNGER has maintained
custody of the records made available by Mrs. CTTESKY.

b7c
D

[REDACTED]

b7c
(1)

[REDACTED]

58-1232-26

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APR 10 1962	
FBI - NEW YORK	

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FBI

Date: April 6, 1962

Transmit the following in PLAIN TEXT
(Type in plain text or code)

Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)
FROM: SAC, LAS VEGAS (58-8)(RUC)
SUBJECT: MORTON ROBSON, Former AUSA, SDNY
ROY COHN
BRIBERY
(OO: New York)

RE New York tel 4/4/62 and Las Vegas tel 4/5/62.

For information New York, [REDACTED]

Las Vegas conducted investigation at [REDACTED]

Enclosed for New York are eight copies each of
nine FD-302's reflecting investigation at [REDACTED]

(2) - New York (Enc. 72) ✓
1 - Las Vegas

b2 (3)

58-1232-27
SEARCHED INDEXED
SERIALIZED FILED
APR 9 1962

Approved: DR Sent _____ M Per _____
Special Agent in Charge

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NY

DATE: 4/9/62

FROM : ASAC A. M. BRYANT

SUBJECT: MORTON ROBSON, FORMER AUSA, SDNY;
ROY COHN
BRIBERY

Ac ✓ 23

Because of the sensitive nature of this investigation and the connection with the case involving [REDACTED] being the attorney on record for [REDACTED], all requests for investigation are to be brought to my attention immediately.

b7c

AMB:CTC
(2)
1 - ASAC Bryant

58-1232-28

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FBI - NEW YORK	

[REDACTED]

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE:

FROM : SA [REDACTED] #23)

b7c

SUBJECT: MORTON ROBSON
FORMER AUSA, SDNY;
ROY COHN
BRIBERY

On Tuesday, 4/3/62, SA [REDACTED] and the writer discussed this cause with AUSA SYLVIO MOLLO and IRVING YOUNGER.

b2

They advised that they had reviewed the investigation they wanted the FBI to conduct, and at the present time they felt that the FBI should conduct the following investigation:

1. Attempt to ascertain whether or not ROBSON stayed in Las Vegas during the period 8/20/59 through 8/27/59. They requested that a check be conducted [REDACTED]

b7D

Mr. YOUNGER pointed out that there would be no need to check the [REDACTED]

b7
C-D

2. [REDACTED]

b7c (1)

58-1232-29

19

b7c

NY 58-1232

3. [REDACTED]

b7c

MOLLO and YOUNGER discussed the people they felt should be interviewed in this case and pointed out that they did not want the FBI to conduct any interviews at this time with [REDACTED]

[REDACTED] left NY, after testifying before the grand jury, [REDACTED] The US Attorney's Office plans [REDACTED] and [REDACTED] before the grand jury this week, and did not want us to interview them until they had been before the grand jury. They pointed out that [REDACTED] has entered a plea of guilty in the UDY case and will be used to testify in that case sometime in the future. [REDACTED]

b7c
D

[REDACTED] and MOLLO believes that he knows all about the present COHN case, and has not told what he knows. [REDACTED] is also to be a witness in the UDY case. [REDACTED]

MOLLO also said that [REDACTED] AUSA, will have to be interviewed in this case, but not at the present time. [REDACTED] is practicing law in NYC. [REDACTED]

b7c

[REDACTED] b7
[REDACTED]
MOLLO also believes that [REDACTED] b7
[REDACTED] should eventually be interviewed. C-D

MOLLO pointed out that [REDACTED]
[REDACTED] and may be able to furnish information
concerning his whereabouts w [REDACTED]
[REDACTED] MOLLO requested that any interview
with [REDACTED] be held in abeyance. MOLLO also
pointed out that ex-US Attorney, [REDACTED]
[REDACTED] will be interviewed by the US Attorney's Office
to take up his self disqualification in the [REDACTED]
case, and the matter of assignment of [REDACTED] and
[REDACTED] to the UDY case. MOLLO pointed out that
[REDACTED] should also be interviewed with respect to
determining who called the conference in the US
Attorney's Office in 1959, which discussed the
impending indictment in the UDY case. This is the
indictment handled by [REDACTED] from which GILLESPIE, CARFIELD
and others were excluded given rise to the allegations
in the current case.

MOLLO pointed out that it is possible that [REDACTED] b7
[REDACTED] C

advised that he himself should be interviewed event-
ually by the Bureau in this case. MOLLO pointed out
that during the 1959 indictment in UDY he was not aware
that [REDACTED] was playing such a strong role in supervising
[REDACTED] activities. He also pointed out that it may have
been [REDACTED] or [REDACTED] who tipped off [REDACTED] to the effect FACJ
that he was going to be called to testify before the
grand jury.

NY 58-1232

MOLLO pointed out that [REDACTED] would have to be interviewed. He discussed the possibility that [REDACTED] might be used as a government witness. [REDACTED] and pointed out that it may be that [REDACTED] was being used as a willing dupe in this entire scheme, and an approach possibly ^{could} be made to [REDACTED] that ROBSON and COHN got all of the money. [REDACTED] did all the work and was left out in the cold at the end.

b7
c

[REDACTED] presently employed by [REDACTED] will eventually be interviewed. MOLLO is convinced that [REDACTED] knows all about the fixed and present case since he [REDACTED] when the present case was discussed.

[REDACTED] a friend of ROBSON's, will also have to be interviewed, and MOLLO plans to bring him before the grand jury. [REDACTED] the [REDACTED] case it should be noted contacted [REDACTED] and asked him to look into [REDACTED] handling of the case.

[REDACTED] and his wife should also be interviewed in this case after the principles have been brought before the grand jury. He feels that [REDACTED] must know about the facts of the present case, and he knows that [REDACTED] has been in frequent contact with [REDACTED]

The above individuals were given by MOLLO as the principal subjects for interview in this case. He pointed out that they intended to bring [REDACTED] and [REDACTED] before the grand jury the current week, and within two weeks would bring [REDACTED] COHN and ROBSON before the grand jury.

NY 58-1232

In addition to the principals discussed above
MOLLO and YOUNGER pointed out that [REDACTED]

[REDACTED] and [REDACTED]
and a close friend of COHN should also be interviewed
in this case.

that AUSA YOUNGER advised that he did not think
[REDACTED] would be interviewed in the current
case at this time since he is a defendant in the UDY
case.

b7c

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Memorandum

TO : SAC NY 58-1232 DATE: 4/11/62

FROM : SA [REDACTED] 23

SUBJECT: Robson; Cohn
Bribery.

On 4/11/62 AUSA Younger
advised USAT wanted a [REDACTED]

[REDACTED]

Younger also advised the USA's
office has talked to [REDACTED]
and plans to see [REDACTED] - USA advised he
plans to talk to [REDACTED] this
evening.

[REDACTED]

58-1232-31

11

b7c

UNITED STATES GOVERNMENT

Memorandum

2.

TO :

DATE:

FROM :

SUBJECT:

[REDACTED]

[REDACTED]

b7
c
D

Supervisor [REDACTED] Above made known to
ASAC Bryant 4/11/62.

be

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 4/11/62

FROM : SA [REDACTED] #23

b7c

SUBJECT: ROBSON; COHN
BRIBERY

On 4/11/62, AUSA DONALD COHN advised the writer that he wanted the FBI to do the following in instant case:

1. Check for a change of address for [REDACTED] at the Post Office in Pearl River, NY. To [REDACTED] 4/13/62 SA [REDACTED]

2 [REDACTED]

To [REDACTED] 4/13/62 SA [REDACTED]

3 [REDACTED]

R/S to [REDACTED] 4/13/62

It is not felt that these leads should be covered since information obtained from them would appear to already have been obtained through interview with [REDACTED]

2 - New York (58-1232)

b7c (2)

*I think this is
OK. [REDACTED] + [REDACTED]*

b7c

58-1232-32

b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC NY 58-1232

DATE: 4/11/62 b7c

FROM : SA [REDACTED] 23

SUBJECT: Robson; Cohn
Brubey

[REDACTED]

[REDACTED]

b7c
D

Above for info of file; USA S2205
will be advised.

58-1232-33

and [REDACTED]

b7c
[REDACTED]

[REDACTED] b7c

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC NY 58-1232

DATE: 4/13/62

FROM : SA [REDACTED] 23

SUBJECT: Robson
Colm
Bribery

58-1232-38

SEARCHED	INDEXED
SERIALIZED	FILED

APR 15 1962

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Above for info of file

b7c

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK 58-1232

DATE: 4/19/62

FROM : SUPERVISOR [REDACTED] #23

SUBJECT: MORTON ROBSON, Former AUSA;
ROY COHN
BRIBERY

On 4/19/62, AUSA Silvio Mollo telephonically advised that with reference to conference had with him by Agents [REDACTED] and [REDACTED] on 4/16/62, the advisability of proceeding with a full fledged open investigation was still being considered by USA Morgenthau. The primary factor under consideration was the possibility of adversely affecting the current trial involving the SEC case on United Dye & Chemical.

AUSA Mollo requested that the following investigation be conducted at this time:

1. (a)

[REDACTED]

(b)

[REDACTED]

Approved by [Signature]
Bryant

58-1232-42

SEARCHED	INDEXED
SERIALIZED	FILED
APR 18 1962	
NEW YORK	

2.

Information has been obtained by the USA's office to the effect that [REDACTED] went to Los Angeles on or about 9/15/59 with [REDACTED]

NY 58-1232

(a)

[REDACTED]

Memo for SAC

(b) [REDACTED] b7
D

[REDACTED]

(3) AUSA Mollo advised that a lawsuit was filed in Denver, Colorado, against Garfield, Pasternak & Swan some time after 1956 or 1957. The suit was filed by ROSIER and HELLERSTEIN [REDACTED]

AUSA Mollo requested that a copy of the complaint and all other legal documents filed in connection with the lawsuit be obtained and forwarded to his office.

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F B I

Date: 4/24/62

Transmit the following in _____
(Type in plain text or code)Via AIRTEL AIR MAIL
(Priority or Method of Mailing)

To: SAC, NEW YORK (58-1232)

From: SAC, DENVER (58-79) (RUC)

MORTON ROBSON, FORMER AUSA;
ROY COHN
BRIBERY

Reurtel 4/20/62.

Enclosed are photostats of the Denver District Court record in the case of HELLERSTEIN and ROSIER, a Partnership, vs. IRVING PASTERNAK, ALLEN K. SWANN and SAMUEL S. GARFIELD, Civil Action No. B25287. The documents consist of photostats of the following items:

Complaint filed 6/25/58;

Motion for Cost Bond filed 7/16/58;

Motion for Bill of Particulars filed 7/16/58;

Motion to Dismiss filed 7/22/58;

Summons filed 7/21/58;

Stipulation filed 8/26/58;

Order filed 8/26/58;

Answer of ALLEN K. SWANN filed 10/22/58;

Stipulation filed 10/24/58;

Stipulation filed 3/26/59.

2 - New York (Encl 1) (AM) *Photostat made*
1 - Denver *See encl 1 for file above*

(3)

Special Agent in Charge

See 123/9

4/26/62

58-1232-44

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 4/24/62

FROM : [REDACTED] #23

SUBJECT: MORTON ROBSON;
ROY COHN
BRIBERYConference 4/16/62

On 4/16/62, Supervisor [REDACTED] and the writer attended a conference in the office of AUSA SILVIO MOLLO, SDNY. Also at the conference were AUSAS DONALD COHN and WALPIN. b7c

MOLLO reviewed the information furnished to the USA Office by [REDACTED] and [REDACTED] b7c

MOLLO said that [REDACTED] b7c

[REDACTED]

According to MOLLO, [REDACTED]

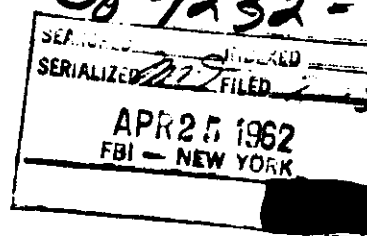
[REDACTED]

[REDACTED] also told the USA Office that he [REDACTED]

[REDACTED]

b7c (1)

hah



9 3
NY 58-1232

67
D
MOLLO verified what [REDACTED]

AUSA WALPIN said that [REDACTED]

AUSA WALPIN said that he thought the following investigation should be conducted:

1. Obtain a copy of the complaint in the action by attorney ROSSIER Versus SWANN, GARFIELD and PASTERNAK in Denver, Colorado.

67
C-D
b7c
b7c
2. Identify the [REDACTED]

3. [REDACTED]

MOLLO said that he believed it was time that the Bureau conduct a full investigation in this case and interview the people set forth in his earlier conference on 4/3/62 as set forth in Serial 29 of this file. He said that he would discuss this matter with Mr. MORGENTHAU and advise [REDACTED] of their decision.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK

DATE: 4/24/62

FROM : SUPERVISOR [REDACTED] #23

b7C

SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN
BRIBERY

On 4/24/62, AUSA Donald J. Cohn, SDNY, telephonically requested that an attempt be made to substantiate by investigation the most recent information furnished to the U.S. Attorney's Office by [REDACTED]

[REDACTED]

b7C

AUSA Cohn volunteered the suggestion that in the event difficulty was encountered in determining the identity of the [REDACTED]

[REDACTED]

b7C

b7C
NY 58-1232

OK to handle
Per ASAC report
4/25/62

58-1232-47

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[REDACTED]

b7C

Government Leaks Shock U. S. Judge

By Milton Lewis

A Federal judge sounded off yesterday about government publicity leaks.

Judge Archie O. Dawson said in no uncertain tones that he and his fellow jurists in the Southern District of New York are "shocked" and "highly concerned" over the leaking of information about prospective defendants in advance of their indictment.

He delivered his judicial bias while listening sympathetically to an income tax evasion indictment opened Feb. 27 against J. Truman Bidwell. Mr. Bidwell resigned that day as chairman of the board of governors of the New York Stock Exchange.

The motion to dismiss the true bill was made by Mr. Bidwell's lawyer, former Federal Judge Simon H. Rifkind, on the unprecedented ground of "government misconduct" by leakage. Mr. Rifkind contended that his client "has been deprived the right of secret accusation."

While he was at it, Judge Dawson took another swipe at the government for publicity leaks before the indictment Dec. 7 of Brooklyn Supreme Court Justice J. Vincent Keogh.

Mr. Keogh and four others were accused of conspiring to obstruct justice in a Federal case. Mr. Keogh also was accused of splitting a \$35,000 bribe with a former Brooklyn Federal prosecutor.

"I wish I knew who was doing the leaking," Judge Dawson noted angrily. "Maybe they'd say there was no leak, that these fellows over there (pointing to newsmen in court) were just using information they got on their own."

That is exactly what the government does contend, denying that it leaked anything to anybody at any time.

According to legal observers at the U. S. Court house at Foley Square, this is the first time that a defense lawyer had ever entered a motion to dismiss, based on advance publicity. Many lawyers in other cases—as well as judges themselves—have inveighed against "trial by newspaper." The U. S. Supreme Court has taken a strong view against "trial by newspaper," especially when a defendant's criminal record is printed, a record not disclosed to the trial jury.

This is the way the discussion went in the Bidwell case, in which he is charged with evading \$55,908 in taxes in 1956 and 1957.

Mr. Rifkind: This motion to dismiss is made on the ground of government misconduct regarding deliberation of the grand jury.

Judge Dawson: How did the government come to do that?

Mr. Rifkind: By leaking the information, Your Honor.

Judge Dawson: But you did not say who leaked it.

Mr. Rifkind: I do not say by

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N.Y.

Herald Tribune

EDITION

Late City

DATED

4-17-62

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NOT FORWARDED BY NY DIVISION

58-1232-48

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FBI - NEW YORK	

62

name, but stories have attributed it to the Internal Revenue Service or high government officials. The government denies the intended malevolence of the publication, but it does not say it is not true. I do not believe that the government will deny that the information was leaked to the papers by government officials.

Judge Dawson wanted to know how Mr. Bidwell's rights were violated.

"He has been injured in the most vital spot," Mr. Rifkind replied. "To have it publicized in advance that the grand jury will indict is to do him an injury. He has been deprived the right of secret accusation."

After Mr. Rifkind observed that "I am dealing with the duty of the government relating to secret exoneration or secret accusation," Judge Dawson half stood up from his seat, leaned forward on his high bench and noted sternly:

"I have been a little shocked, not only as to the advance publicity in this case, but another case in this court—that is, in the Keogh case. The judges here have been highly concerned that someone leaks information in advance of indictments."

"Out of Bounds"

Mr. Rifkind waited for a break and cut in with:

"I think it is getting out of bounds and that bulwarks must be set up against such a happening."

It was at this point that Judge Dawson wished he "knew who was doing all the leaking." He shook his head. "I just wish I knew who was doing the leaking."

Assistant U. S. Attorney Arnold H. Enker opposed the dismissal motion. He said that the stories referred to reportedly were of Washington sources and certainly did not originate in New York. He insisted the U. S. Attorney's office in the Southern District was totally unconnected with any such publicity. Further, Mr. Enker argued, "There was nothing in the stories to warrant the inference that they were prejudicial."

Wants "Clean Atmosphere"

Mr. Rifkind took a jaundiced view of that and suggested:

"The only sanction is to dismiss this indictment and start over again in a clean and unpolluted atmosphere."

Said Judge Dawson:

"Maybe this is the type of case where something should be done to stop this type of leaking, which is becoming too prevalent in this district."

But Judge Dawson reserved decision on the dismissal motion, set May 14 for the setting of a trial date—a date which would be meaningless should the dismissal motion be granted.

It was believed that Justice Keogh will now make a similar motion in his case.

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F B I

Date: 4/30/62

Transmit the following in PLAIN TEXT
(Type in plain text or code)Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)
FROM: SAC, LAS VEGAS (58-8) (P)
SUBJECT: MORTON ROBSON, Former AUSA;
ROY COHN
BRIBERY
OO: NEW YORK

RE New York teletype to Bureau dated 4/26/62 and Las Vegas teletype to Bureau dated 4/27/62. *b7D*

[REDACTED]

Enclosed herewith for New York are seven (7) copies of FD-302, reflecting information obtained [REDACTED]. One (1) copy of FD-302 is being furnished Denver for information purposes. *b7D*

Also enclosed for New York is one (1) photostatic copy of [REDACTED] described in FD-302. *see 1A*

2-New York (Encl 8) (AMSD) (R.M.)
1-Denver (Info) Encl 1)
1-Las Vegas

b7C

58-1232-51
SEARCHED INDEXED
SERIALIZED FILED
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Approved: *[Signature]*
Special Agent in Charge

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UNITED STATES GOVERNMENT
Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 5/5/62

all fair
FROM : SAC, DENVER (58-79)(P)

SUBJECT: MORTON ROBSON, FORMER AUSA;
ROY COHN
BRIBERY
OO: NEW YORK

Re Denver teletype to New York dated 5/2/62.

Enclosed for the New York Office are nine copies
of an FD-302 reflecting the results of an interview with
[REDACTED]

Also enclosed are one photostat copy each of
the following [REDACTED]

New York will be furnished with a copy of the
[REDACTED] *b7
D*

LEAD:

DENVER:

At Casper, Wyoming: Will forward to the New
York Office, as soon as possible, a photostat copy of
[REDACTED] *b7
C-D*

2-New York (Enc. 11)
2-Denver
bK *see enclos for 58-1232-56*
1B3(11)

MAY 8 1962
FBI - NEW YORK
bK *✓*

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Headquarters file 58-5100

☒ The following number is to be used for reference regarding these pages:

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 5/15/62

FROM : SAC, DENVER (58-79) (RUC)

SUBJECT: MORTON ROBSON, FORMER
ASSISTANT U. S. ATTORNEY;
ROY COHN
BRIBERY
OO: New York

Re Denver letter to New York dated 5/5/62.

Enclosed herewith is one photostatic copy of the
following [REDACTED]

[REDACTED]

- 2 - New York (Enc. 1)
- 1 - Denver

b7C [REDACTED] see encl. [unclear]
(3) 1B 3(14)

58-1232-63

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FBI NEW YORK	

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FBI

Date: 5/18/62

Transmit the following in PLAIN TEXT

(Type in plain text or code)

Via AIRTELAIRMAIL

(Priority or Method of Mailing)

TO: SAC, NEW YORK (58-1232)
FROM: SAC, LAS VEGAS (58-8) (RUC)
SUBJECT: MORTON ROBSON, Former AUSA;
ROY COHN
BRIBERY
OO: NEW YORK

RE Las Vegas airtel dated 4/30/62 and 5/10/62.

Enclosed herewith for New York are eight (8) copies of FD-302, reflecting interview with [REDACTED]

② New York (Encls. 8)
1-Denver (Encls. 1)
1-Las Vegas

58-1232-67
SEARCHED INDEXED
SERIALIZED FILED
MAY 1 1962
FBI-NEW YORK

Approved: [Signature]

Special Agent in Charge

Sent

M

Per

5/21/62

PLAIN TEXT

AIRTEL

TO: SAC, CHICAGO

FROM: SAC, NEW YORK (58-1232)

SUBJECT: MORTON ROBSON,
Former AUSA;
ROY COHN
EMILY
(OO: NEW YORK)

Chicago requested to obtain a copy of the August, 1959 issue of the Official Airline Guide from the publisher, WAYNE W. PARRISH, 139 North Clark Street, Chicago 2, Ill., and forward same to NYO immediately.

2-Chicago
1-New York (58-1232)

58-1232-68

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SERIALIZED	FILED
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NEW YORK	

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58-1232-69, 70

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FEDERAL BUREAU OF INVESTIGATION **FOIPA DELETED PAGE INFORMATION SHEET**

2 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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☒ The following number is to be used for reference regarding these pages:

58-1232-71

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Memorandum

TO : SAC NY 58-123²

DATE: 5/24/62

FROM : SA [REDACTED] 23

b7c

SUBJECT: MORTON S. ROBSON
ROY COHN
BRIBERY

ON 5/24/62 the writer observed room 1415, 342 Madison Ave. NYC.

This is the Canadian Pacific Building on the west side of Madison Ave
between 43rd and 44 STs,

The room 1415 has listed:

"Law Offices,

Edward L. Bodow
David Robson
Eugene J. Robson

Adelaide Burk an Bodow."

The above is on the right side of the double door. On the left
side of the door is written:

"Joseph Sussman, CPA"

67

58-1232-72

[REDACTED]

F B I

Date: 5/24/62

PLAIN TEXT

Transmit the following in _____

(Type in plain text or code)

TELETYPE

URGENT

Via _____

(Priority or Method of Mailing)

TO : SAC, LOS ANGELES

FROM : SAC, NEW YORK (58-1232)

SUBJECT: MORTON ROBSON, FORMER AUSA, SDNY; ROY COHN
BRIBERY

USA, SDNY, REQUESTS [REDACTED] b7

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] SEPTEMBER THIRTEEN THROUGH FIFTEEN,
NINETEEN FIFTY NINE.

EXPEDITE.

1-New York (58-1232)
[REDACTED] b7c

Searched _____

Serialized ☒

Indexed _____

1-Supervisor #23
[REDACTED] b7c

58-1232-73

Approved: _____

Special Agent in Charge

Sent _____

Per _____

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
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- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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Headquarters file 58-5100

☒ The following number is to be used for reference regarding these pages:

58-1232-74

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FBI

Date: 5/24/62

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL AIR MAIL
(Priority or Method of Mailing)

TO : SAC, NEW YORK (58-1232)
FROM: SAC, RICHMOND (58-186) - RUC -
MORTON ROBSON, Former AUSA, SDNY;
ROY COHN
BRIBERY

5/17/62. Reference is made to New York airtel to the Bureau

There are being transmitted herewith 9 copies of an insert reflecting investigation conducted by the Richmond Office.

2 - New York (Enc. 9)
1 - Richmond

58-1232-75
SEARCHED INDEXED
SERIALIZED FILED

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (58-1232)

DATE: 5/25/62

FROM : *publ* SAC, NEWARK (58-442) (RUC)

SUBJECT: MORTON ROBSON, Former AUSA, SDNY;
RAY COHN
BRIBERY

Re New York airtel to Director 5/17/62.

[REDACTED]

b7c
D

2 - New York (Encs. 17)
1 - Newark

(3)

58-1232-76
SEARCHED INDEXED
SERIALIZED FILED
MAY 28 1962
FBI NEW YORK

b7c

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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- ☐ Deleted under exemption(s) _____ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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☒ For your information: This document was processed in
Headquarters file 58-5100

☒ The following number is to be used for reference regarding these pages:

58-1232-77, 78, 79

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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Tr/B3

- 1) 4/17/62 CC of B/A of [redacted]
- 2) 6/6/62 Photostats of proceedings Posner vs. Pasternak
Lynn and Fairfield Hennes Col. 6/58/ [redacted]
[redacted] to [redacted]
- 3) [redacted]
- 4) [redacted]
- 5) [redacted]
- 6) [redacted]
- 7) [redacted]

Note 1A 4 missing at time of tv. on 5/5

7/23/62 @
Ple. note 1A 4 to to B 4(1) 8/13/62 [redacted]
Don't enter any more Eph. in
1A section.

1A's to to 1B's

67C
D

See Green Sheets @

58-1232-1A

SEARCHED	INDEXED
SERIALIZED	FILED
APR 13 1962	
FBI NEW YORK	

[redacted]

67C

Date 6/15/62

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
Title and Character of Case	

**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW	

- (1) 6/15/62. Indictment returned 11/2/60 - US vs Sam Garfield, Pasternak, Swann, Roen, Dardi, & Guterma. (COPY)
- (2) " Copy of Indictment 8/25/59 - US vs Guterma, Dardi, Birrell, Leonhardt, Levin, Duval, Bank & UDY CORP.
- (3) " 1961 Indictment in UDY case; US vs Sam Garfield, et al 61CR671.

NOTE:
 (4) " Above rec'd 5/28/62 by SA [redacted] See Ser. 140.
 (5) " 2 photostats [redacted] - Morton Robson.
 (6) " 1 Same as (4) [redacted]
 (7) " " " " " [redacted] 12/3,4/58.
 (8) " " " " " [redacted] 12/3,4/58 Morton S. Robson.
 NOTE:
 (9) " (4) thru (9) rec'd 6/6/62 by SA [redacted] See Ser. 61.
 One roll of negative re photos taken at [redacted]

SA [redacted] on 6/7/62, by
 SA [redacted] re Morton S. Robson. Rec'd 6/7/62 by

- 0) 6/27/62. 1 signed statement of [redacted] Rec'd 6/15/62 by SA [redacted] & [redacted]
- 1) " [redacted]
 MORTON S. ROBSON. Rec'd 6/18/62 by SA [redacted] mtd

✓ Returned to AUSA Gerald Walpin per. S.A. [redacted]
 ✓ Returned to file from SDNY by SA [redacted] 6/14/62

Field File # **58-1232-1B1
#23**

67 C D

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 15 1962	
FBI-NEW YORK	

7/23/62

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division New York
Title and Character of Case	

MORTON ROBSON; ET AL
BRIBERY

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW	

- (1) 7/23/62. Signed sworn statement of [REDACTED] Rec'd 7/9/62 by SA'S [REDACTED] & [REDACTED]
- (2) " CC. [REDACTED] Tr from 1A1
- (3) " Photostats of proceedings Rosier vs Pasternak, Swann & Garfield, Denver, Col. See Ser. 44. Tr from 1A2.
- NOTE: " (4) thru (10) [REDACTED]
- " (4) thru (8) [REDACTED] (9) [REDACTED]
- " (10) [REDACTED] - dtd: (Tr. from 1A3)
- (4) " 8/31/59 thru 9/2/59.
- (5) " 9/2/59 " 9/4/59
- (6) " 9/24/59 " 9/27/59
- (7) " 11/24/59
- (8) " 11/22/59 thru 11/24/59
- (9) " 7/28/59 thru 8/3/59
- (10) " 8/31/59 thru 9/3/59.
- (11) " [REDACTED] Tr from 1A5 See Ser. 56
- (12) " " " " " " " "
- (13) " Photostat of [REDACTED] " " 1A6
- (14) " One photostat of [REDACTED] Tr from 1A7. See Ser. 63. pms
- (15) " 3 photos of [REDACTED]

Rec'd 6/24/62 by [REDACTED]

See Ser 197. @.

- (16) 7/24/62. [REDACTED]
- (17) " [REDACTED]
- NOTE: (16) & (17) rec'd 6/22/62 by SA [REDACTED]
- (8) 8/6/62. 1 sworn statement of [REDACTED] NYC, dtd 7/30/62. Rec'd 7/30/62 by SA [REDACTED]

\$ 1B3 (4) thru (9) to Asst Gen'l Walford SDNY per [REDACTED]

Field File #

58-1232-1B3

#23

Returned to file, per SDNY on 3/4/65 by SA [REDACTED]

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 23 1962	
FBI-NEW YORK	

67C-D

Date 8/13/62

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
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Title and Character of Case

**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
--------------------------------------------	-------------------------------------------------------------------

Location of Property or Bulky Exhibit /AULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
-------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

Description of Property or Exhibit and Identity of Agent Submitting Same
SEE BELOW

- (1) 8/13/62. [REDACTED]
 (2) " [REDACTED]
 (3) " List of names & addresses of [REDACTED] & 24/59.
 NOTE: (2) & (3) rec'd 7/17/62 by SA [REDACTED] Bms for
 (4) 8/15/62. Photostat [REDACTED]
 (5) 8/20/62. Copy of memo by [REDACTED] dtd. 11/14/60 re [REDACTED] Rec'd 7/26/62 by SA [REDACTED] Rec'd 7/11/62 by SA [REDACTED]
 (6) " Copy of [REDACTED] Rec'd in Exh. 8/17/62.
 (7) " [REDACTED]
 NOTE: (6) & (7) rec'd 8/9/62 by SA [REDACTED]
 (8) 8/21/62. [REDACTED]
 (9) " [REDACTED]
 (10) " [REDACTED]
 (11) " [REDACTED]
 (12) " [REDACTED]
 (13) " [REDACTED]
 NOTE: (8) thru (13) rec'd 5/10/62 by SA [REDACTED] Rec'd in Exh. 8/21/62. [REDACTED]

Field File #

**58-1232-1B4
#23**

b7c-D

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 13 1962	
FBI-NEW YORK	

Date 8/21/62☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
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Title and Character of Case

**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW	

NOTE: (1) thru (4) are photostats [REDACTED] 8/14-16/59, for:

- (1) 8/21/62. [REDACTED]
- (2) " Roy Cohn.
- (3) " [REDACTED]
- (4) " [REDACTED]

NOTE: Above rec'd 5/10/62 by SA [REDACTED] Rec'd in Exh.
8/21/62.

- (5) 8/22/62. List of [REDACTED] Rec'd 6/8/62
by SA [REDACTED]

- (6) 9/13/62. Agent's notes.
- (7) " Thermofax copy of [REDACTED]
- (8) " Calling card of [REDACTED]
- (9) " [REDACTED]

NOTE: Exhibits (6) thru (9) rec'd 8/27/62 by SA [REDACTED]

- (10) 9/28/62. Photostat of [REDACTED]
[REDACTED] Rec'd 9/20/62 by SA [REDACTED]
- (11) " [REDACTED] Rec'd
9/24/62 by SA [REDACTED] See ser. 384.

- (12) 10/10/62. Photostat of [REDACTED]

- (13) 10/16/62. Two positives & 1 negative of photograph of [REDACTED]
[REDACTED] Rec'd 10/4/62 by SA [REDACTED]

- (14) 10/31/62. 10 copies of [REDACTED]
Rec'd 10/10/62 per [REDACTED] (see serial 444)

Field File # **58-1232-1B5
#23**

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 21 1962	
FBI-NEW YORK	

b7C-D

Date 2/20/63

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100 Field Division NEW YORK

Title and Character of Case

MORTON ROBSON; ET AL
BRIBERY

Date Property Acquired SEE BELOW Source From Which Property Acquired SEE INDIVIDUAL 1B'S

Location of Property or Bulky Exhibit VAULT Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN

Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW

- (1) 2/20/63. 2 neg. & 2 photos of [REDACTED] Rec'd 2/1/63 by SA [REDACTED] See Ser. 556. [REDACTED]
(2) 4/16/63. Photostat of undtd. memo of Roy Cohn & his notes re memo. (GJ Exh. #1, 3/25/63).
(3) " Photostat of unsigned statement dtd. 8/4/62. (GJ Exh. #2, 3/25/63).
NOTE: (2) & (3) rec'd 3/28/63 by SA [REDACTED] pms
(4) 4/22/63. 1 signed sworn statement of [REDACTED]
(5) " 1 signed sworn statement of [REDACTED]
NOTE: (4) and (5) rec'd on 4/4/63 by SA [REDACTED] AND [REDACTED]
(6) 4/25/63. Accounting workpapers of SA [REDACTED] Rec'd on 4/5/63 by SA [REDACTED]
(7) 6/17/63. Worksheets re Exam of ROY COHN'S [REDACTED] Rec'd 5/9/63 by SA [REDACTED]
(8) 7/22/63. [REDACTED] SA'S [REDACTED] Rec'd 6/18/63 by [REDACTED]
(9) 7/29/63. [REDACTED]
(10) " [REDACTED]
Roy M. Cohen on 12/30/60.
(11) " [REDACTED]
(12) " [REDACTED]
(13) " [REDACTED]
(14) " [REDACTED]

NOTE: (9) thru (14) rec'd 6/21/63 by SA [REDACTED]

Field File #

58-1232-1B6
#23

67C-10

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 20 1963	
FBI-NEW YORK	

Date 7/29/63

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
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Title and Character of Case

**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
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Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
-------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

Description of Property or Exhibit and Identity of Agent Submitting Same **SEE BELOW**

- (1) 7/29/63. Workpapers of SA [REDACTED] of Roy Cohn.
Rec'd 7/1/63 by SA [REDACTED]
- (2) " Work papers re Roy Cohn's [REDACTED]
[REDACTED] Rec'd 7/9/63 by SAA [REDACTED]
- (3) " Work papers of Roy Cohn's [REDACTED]
[REDACTED] SAA [REDACTED]

NOTE: (4) thru (7) are facsimiles of
a/c of Roy M. Cohn

- (4) 8/7/63. [REDACTED]
- (5) " [REDACTED]
- (6) [REDACTED]
- (7) 8/7/63. [REDACTED]
- (8) " [REDACTED]
- (9) " [REDACTED]

NOTE: (4) thru (9) rec'd 6/21/63 by SA [REDACTED]

- (10) 8/27/63. [REDACTED]
Roy M. Cohn
- (11) " [REDACTED]
- (12) " [REDACTED]
- (13) " [REDACTED]

NOTE: (10) thru (13) rec'd 6/26/63 by SA [REDACTED]
(10) thru (13) are copies [REDACTED]

Field File **58-1232-1B7
#23**

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 29 1963	
FBI - NEW YORK	

67C-P

Date 8/27/63.

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
Title and Character of Case	

MORTON ROBSON; ET AL
BRIBERY

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL LB'S
Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
Description of Property or Exhibit and Identity of Agent Submitting Same SEE BELOW	

- (1) 8/27/63. [REDACTED]
in re: Roy M. Cohn (COPY)
- (2) " [REDACTED]
re: Roy M. Cohn. (COPY)
- NOTE: Above rec'd 6/26/63 by SA [REDACTED]
- (3) 9/13/63. Copy of Indictment filed 9/4/63 in USDC, SDNY vs. ROY M. COHN and MURRAY E. GOTTESMAN. Rec'd 9/4/63 by SA [REDACTED] bs
- (4) 9/17/63. [REDACTED]
7/21/63 by SA [REDACTED] See Ser. 779.
- (5) 10/10/63. [REDACTED]
during, September, 1962. Rec'd 9/25/63 by SA [REDACTED]
See ser. 872.
- (6) " [REDACTED]

*Furnished to Area Gerald Walpin, SDNY
by SA [REDACTED]*

Returned to file from SDNY by SA [REDACTED] 3/11/65

Field File #

58-1232-1B8
#23

b7c-12

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 1 1963	

10/10/63

☐ Check, when submitting semiannual inventory, if no previous correspondence with Bureau.

Bufile 58-5100	Field Division NEW YORK
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Title and Character of Case

MORTON ROBSON; ET AL
BRIBERY

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
-------------------------------------	------------------------------------------------------------

Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
------------------------------------------------	---------------------------------------------------------------------------------------------------------

Description of Property or Exhibit and Identity of Agent Submitting Same

SEE BELOW

- (1) 10/10/63. [REDACTED]
(2) 10/10/63. [REDACTED]

NOTE: above exhibits rec'd 9/30/63 by SA [REDACTED] See ser. 874.

- (3) 10/10/63. [REDACTED]

- (4) m [REDACTED]

of [REDACTED]

NOTE: 1B9(3) & (4) [REDACTED]

Roy M. Cohn.

Rec'd 9/23/63 by SA [REDACTED]

bs

- (5) 11/7/63. [REDACTED]

- (6) " [REDACTED]

Rec'd 10/25/63 by SA [REDACTED]

- (7) 12/9/63 [REDACTED]

Rec'd

- (8) " 10/22/63 by SA [REDACTED]

See Ser. 901.

- (8) " 1 photo of [REDACTED]

Rec'd 10/23/63 by SA [REDACTED]

See Ser. 891.

NOTE: (9) thru (12) a [REDACTED]

- (9) 12/9/63. [REDACTED]

- (10) " [REDACTED]

- (11) " [REDACTED]

- (12) " [REDACTED]

NOTE: (9) thru (12) rec'd 10/20/63 by SA [REDACTED] See Ser. 954.

- (13) " Copy of USDJ Dawson's opinion dismissing Cohn's motion to squash indictment. Rec'd 12/4/63 by SA [REDACTED]

Field File # 58-1232-1B9
#23

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 10 1963	
FBI - NEW YORK	

b7C-D

Bufile **58-5100** Field Division **NEW YORK**

Title and Character of Case
**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired SEE BELOW	Source From Which Property Acquired SEE INDIVIDUAL 1B'S
--------------------------------------------	-------------------------------------------------------------------

Location of Property or Bulky Exhibit VAULT	Reason for Retention of Property and Efforts Made to Dispose of Same EVIDENCE & INFORMATION - RETAIN
-------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

Description of Property or Exhibit and Identity of Agent Submitting Same **SEE BELOW**

- (1) 6/17/64. [REDACTED] **ROYAL. COHEN.**
- (2) " [REDACTED]
- (3) " [REDACTED]
- (4) " [REDACTED]
- (5) " [REDACTED]
- NOTE: All of the above were rec'd 5/15/64 by SA [REDACTED]
- (6) 6/17/64. [REDACTED] 5/28/64 by SA [REDACTED]
- (7) 7/28/64. Signed statement of [REDACTED] Rec'd 7/6/64 by SA [REDACTED]
- (8) 9/1/77 Letter rec'd 10/14/63 by USA R.M. Morgenthau, SDNY from [REDACTED]
- (9) " [REDACTED]

Field File # **58-1232-1B11
#23**

67C-D

SEARCHED INDEXED
SERIALIZED FILED
June 17, 1964
FBI - NEW YORK

Bufile 58-5100	Field Division NEW YORK
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**MORTON ROBSON; ET AL
BRIBERY**

Date Property Acquired	Source From Which Property Acquired
SEE BELOW	SEE INDIVIDUAL 1B'S

Location of Property or Bulky Exhibit	Reason for Retention of Property and Efforts Made to Dispose of Same
VAULT	EVIDENCE & INFORMATION - RETAIN

SEE BELOW

- (1) 1/16/64. [REDACTED] Rec'd 11/27/63 by SA [REDACTED]
- (2) 1/28/64. Photo of [REDACTED] Rec'd 11/29/63 by SA [REDACTED] See ser. 1008.
- (3) " Copy of [REDACTED] handwriting.
- (4) " " [REDACTED] handprinting.
- NOTE: 1B10(3) not in possession of exhibit clerk when entered. Sent to FBI lab by ltr. dtd. 12/24/63 per SA [REDACTED]
- NOTE: 1B10(3) & (4) rec'd 12/13/63 by SA [REDACTED] See ser. 1034.

NOTE: 1B10(5) thru (7) are

- (5) 3/24/64.
(6) " "
(7) " "

NOTE: 1B10(5) thru (7) are exhibits rec'd on 3/13/64 by SA

- (8) 5/7/64. Sworn signed statement of [redacted] Rec'd
4/7/64 by SA [redacted]
(9) 5/7/64. Signed statement of [redacted]
10) " " " " [redacted]
11) " " " " [redacted]

NOTE: 1B10 (9) thru (11) Rec'd 4/10/64 by SA [redacted] egb

- (12) 5/14/65. 1 copy of newspaper articles re ALLEN K. SWANN. Rec'd 3/31/64 by SA [REDACTED] See ser. 1252. [REDACTED]

Field File # 58-1232-1B10
#23

SEARCHED INDEXED
SERIALIZED FILED
JUN 10 1971
FBI - NEW YORK

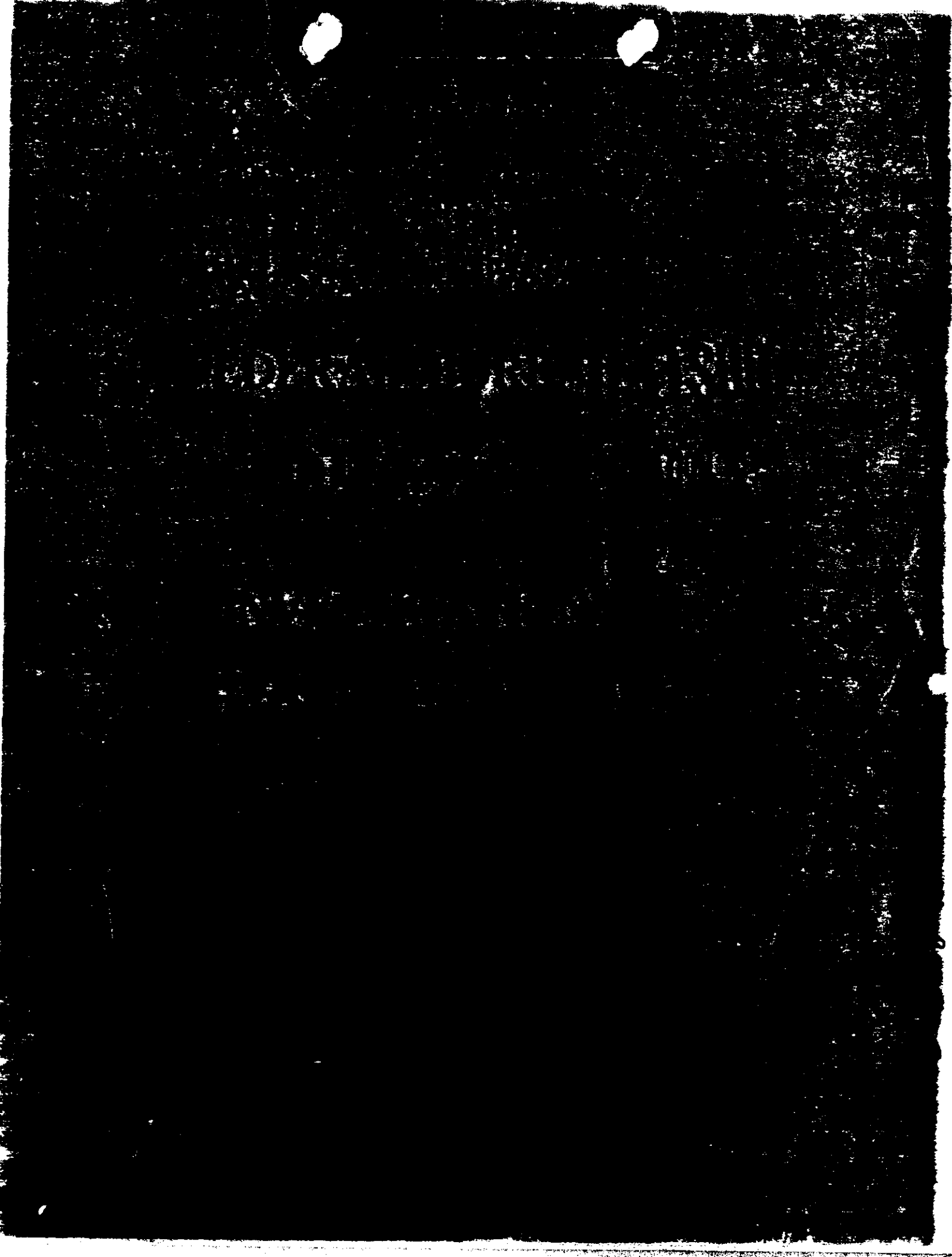
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SUBJECT Roy M. Cohn

FILE NUMBER 58-1232 Sub B

VOLUME NUMBER 1

179 pages



SAC, NEW YORK (58-1232)

3/24/64

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MORTON ROBSON, Former AUSA, SDNY.
ROY CONN. MURRAY E. GOTTESMAN
BRIBERY; '000; PERJURY

Since articles re. this matter are appearing in the press on a daily basis & will be doing so for next 2 months, it is recommended that a Sub B section of this file be opened for newspaper clippings.

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58-1232-Sub B

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J. S. Accuses Cohn Of Stalling for Time

The government contends that Roy M. Cohn, onetime anti-Communist investigator for the late Sen. Joseph McCarthy, has resorted to innuendo in claiming federal officials tampered with his mail.

A hearing was scheduled for delay on Cohn's motion to dismiss a conspiracy and perjury indictment against him because of the alleged mail tampering.

Cohn and attorney Murray E. Gottesman were indicted last Sept. 4 on charges of scheming to stave off indictments of four men during a 1955 grand jury investigation of a United Dye and Chemical Co. stock swindle. The four men were indicted two years later by another federal grand jury.

Cohn recently asked for dismissal of his indictment, asserting that his and Bolan's mail had been intercepted by the government for almost a year. Attached to Cohn's petition was a copy of a purported postoffice department order for intercepting all mail addressed to Bolan's home.

In papers filed yesterday in federal court, the government said it had never open, read or ascertained the contents of any mail addressed to Cohn or Bolan.

The papers, presented to Federal Judge Archie O. Dawson, contained Cohn's charges consisted of "unsubstantiated allegations and an attack on the government by innuendo."

"Nowhere in his moving papers does Cohn even allege that the government has opened his mail or learned its contents," the government said.

The government further accused Cohn of seeking to delay court action through his letter-tampering complaint and moving to "prejudice the government in the eyes of the public."

Cohn and Gottesman are scheduled for trial March 19.

Postal Inspector Robert J. Hickey told the court yesterday that, pursuant to Post Office regulations, a mail check was sometimes made in which addresses and postmarks were recorded, but that the mail was not delayed.

Hickey continued: "From my own knowledge and from a review of pertinent Post Office records, I can state that no one in the U. S. Attorney's office requested, advised or in any way was connected with the order produced in Cohn's motion paper."

(Indicate page, name of newspaper, city and state.)

5 NEW YORK POST

Date: 2/28/64
Edition: LATE CITY
Author:
Editor: DOROTHY SCHIFF
Title: MORTON ROBBIN FORMER
AUSA SDNY; ROY COHN
UNDER INVESTIGATION
Character: BRIBERY
or
Classification: BU 58-5100
Submitting Office: NYO

58-1230-Sub B
SEARCHED ☒ INDEXED ☒
SERIALIZED ☒ FILED ☒
FBI - NEW YORK

b7c

U.S. Denies It Ever Opened Cohn's Mail

The government denied yesterday it had ever opened any mail of Roy M. Cohn or his lawyer.

Moreover, according to an affidavit from a postal inspector, a purported "mail cover" was completely unrelated to any indictment presently pending in this court."

Earlier this month Mr. Cohn moved in Federal Court to have the indictment against him dismissed on the ground the government had been intercepting his mail and that of his counsel, Thomas A. Bolan, for almost a year. Mr. Cohn, former chief counsel to the McCarthy Senate Investigating Committee, was indicted in

September for perjury and conspiracy to obstruct justice in a stock fraud case.

In answering papers filed yesterday, United States Attorney Robert M. Morgenthau called Mr. Cohn's motion "frivolous." The matter is to be heard today before Judge Archie O. Dawson, who also has been assigned to the trial, scheduled to begin March 18.

Assistant U.S. Attorney Gerald Walpin advised the court that the motion consists of "unsubstantiated allegations and an attack on the government by innuendo. Nowhere... does Cohn even allege that the government has opened his mail or learned its contents."

CLIPPING FROM THE

NY N. Y. HERALD TRIBUNE

EDITION Home City

FEB 28 1964

DATE _____

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58-1232-Sub B
SEARCHED.....INDEXED.....
SERIALIZED *fr* FILED *fr*
FEB 28 1964
FBI-NEW YORK

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Government Denies Charge of Opening Roy Cohn's Letters

By EDWARD RANZAL

The Government denied yesterday that it had ever opened and read mail addressed to Roy M. Cohn or his lawyer, Thomas A. Bolan.

It did admit, however, that there might have been a mail-cover operation for recording addresses and postmarks on envelopes. The Government insisted that there had been no delay in the delivery of the mail.

In papers filed with Federal Judge Archie O. Dawson, the Government said there was "absolutely no validity" to Mr. Cohn's motion to dismiss the perjury and conspiracy indictment against him.

Judge Dawson has scheduled a hearing for today on Mr. Cohn's motion to dismiss the indictment because of the alleged tampering with his mail. Mr. Cohn had submitted to the court as an exhibit a Post Office Department form containing instructions to intercept Mr. Bolan's mail.

Trial Set For March 19

Mr. Cohn, former chief counsel to the Senate Investigating subcommittee under the late Senator Joseph R. McCarthy, is scheduled to go to trial with Murray E. Gottesman, another lawyer, on March 19.

The indictment against the two grew out of a grand jury investigation into a stock fraud case involving the United Dye and Chemical Corporation.

The Government lawyers said that Mr. Cohn's motion consisted of "unsubstantiated allegations and an attack on the Government by innuendo."

"Nowhere in his moving papers does Cohn even allege that the Government has opened his mail," the lawyers declared.

Attached to the Government's papers was an affidavit by Robert J. Hickey, Postal Inspector in charge of the New York division of the Postal Inspection Service. He "unqualifiedly" said that no mail addressed to Mr. Cohn or Mr. Bolan had ever been opened or read.

Regulations Explained

Mr. Hickey explained that pursuant to Post Office regulations a mail check was sometimes made in which addresses and postmarks were recorded but that the mail was not delayed.

"From my own knowledge and from a review of pertinent post-office records," he declared, "I can state that no one in the United States Attorney's office requested, advised or in any way was connected with the order produced in Cohn's motion papers."

"To my knowledge, this form and the instructions contained thereon are completely unrelated to any indictment presently pending in this court."

The Government contended that Mr. Cohn's motion was a subterfuge to postpone his trial, adding:

"The principal purpose of Mr. Cohn's motion was to prejudice the Government in the eyes of the public through his unfounded insinuations that the Government was opening his mail."

(Indicate page, name of newspaper, city and state.)

45 NEW YORK TIMES

Date: 2/28/64
Edition: LATE CITY
Author: EDWARD RANZAL
Editor: TURNER CATLEIGE
Title: MORTON ROBSON FORMER
AUSA SDNY; ROY COHN
UNDER INVESTIGATION
Character: BRIBERY
or
Classification: BU 58-5100
Submitting Office: NYO

58-1232-Sub B
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SERIALIZED FILED

FBI - NEW YORK

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TAX UNIT ORDERED COHN MAIL CHECK

Postal Inspector Testifies
Request Came Last March

By EDWARD RANZAL

Roy M. Cohn and his lawyer, Thomas A. Bolan, have been under investigation by the Internal Revenue Service for almost a year, according to testimony yesterday in Federal Court.

A postal inspector said that last March 29 he had been requested by the tax agency to start a mail cover of the two as well as of their law firm, Saxe, Bacon & O'Shea.

The inspector, Robert J. Hickey, explained that the mail cover involved recording the addresses and post office marks of letters sent to Mr. Cohn and to his colleagues. He said the mail had not been delayed and the recorded information had been turned over to the revenue service.

Mr. Hickey said that the mail cover on the law firm, which has offices at 598 Madison Avenue, at 57th Street, was discontinued after a month because of the volume.

Discontinued After Complaint

The cover on Mr. Cohn's mail addressed to his home at 1165 Park Avenue and to Mr. Bolan's home at 238-07 121st Avenue, Jamaica, Queens, was discontinued Feb. 14 after the two had complained that their mail had been intercepted by the Government.

Mr. Cohn, former chief counsel to the Senate investigating subcommittee headed by the late Senator Joseph R. McCarthy, made the mail interception the basis of a motion before Federal Judge Archie O. Dawson to dismiss a perjury and conspiracy indictment against him.

The indictment grew out of a grand jury investigation into the United Dye and Chemical Corporation stock-fraud case.

Mr. Hickey said he had ordered the mail cover halted after Mr. Cohn had filed his motion papers with Judge Dawson.

There was no explanation of the type of investigation the tax agency was conducting. Mr. Hickey said, however, it had nothing to do with the indictment.

Judge Dawson had set yesterday for a hearing. Mr. Bolan who appeared without Mr. Cohn, told the court he was ready to argue. Judge Dawson said that since the Government had denied opening and reading the intercepted mail there was an issue of fact to be decided.

He informed Mr. Bolan that if he refused to dismiss the indictment on the grounds set forth by Mr. Cohn the trial would start March 16.

When Judge Dawson told Mr. Bolan to present his proof, the lawyer said he was unprepared to present witnesses. Judge Dawson insisted curtly that the hearing continue and Mr. Bolan reluctantly called himself as his first witness.

Mr. Bolan, a tall, slender boyish-looking former Navy pilot, paused time and again as he pondered questions to ask himself.

He asked how he had come into possession of the Post Office Department order containing instructions to intercept his mail. He replied:

"Last Feb. 6 at 7:30 A.M. my wife came into the bedroom and sat down. She said, 'I have something important to show

you but don't worry it does not concern the children.'"

He explained that "Charlie" the regular mailman had not made the rounds the day before and that a substitute mailman whom he did not know had brought the mail.

"The mailman handed my wife the Post Office form," he went on, "and said, 'I don't know what this is, but perhaps you had better have it.'"

At Mr. Bolan's request the Government produced Mr. Hickey. He said that under postal regulations it was permissible to make a mail cover at the request of law enforcement agencies.

The hearing will continue today. Mr. Bolan has requested that postal officials and Internal Revenue Service agents be on hand.

(Indicate page, name of newspaper, city and state.)

18 NEW YORK TIMES

Date: 2/29/64
Edition: LATE CITY
Author: EDWARD RANZAL
Editor: TURNER CATLEDGE
Title: MORTON ROBSON FORMER
USA SDNY; ROY COHN
UNDER INVESTIGATION
Character: BRIBERY
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Classification: BU-58-5100
Submitting Office: NYO

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MAR 2 1964
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PO Admits Watching Cohn's Mail for 11 Mo.

Robert J. Hickey, chief inspector in charge of the New York Division of the Postal Inspection Service, admitted in Federal Court yesterday that there had been a continuing watch on the mail of Roy Cohn and his attorney, Thomas A. Bolan, from March, 1963, until last Feb. 14.

Hickey testified at a hearing which Cohn asked for dismissal of an indictment charging him with perjury and obstruction of justice in alleged efforts to prevent the indictment of two men.

Cohn asked for the dismissal of the indictment on the ground that the government had been intercepting the mail of both men for almost a year.

In an affidavit, replying to the government's denial that it had ever opened or read mail addressed to Bolan or Cohn, Bolan said:

"Although this is the United States of America, the totalitarian-like tactics of the Department of Justice as presently administered make me wonder what is happening to our country."

Hickey said all the mail watches were authorized by the Internal Revenue Service.

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NY

News

EDITION

Final

DATE

2-29-64

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58-1232-Sub B

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MAR 2 1964

FBI — NEW YORK

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Cohn Lawyer's Tale Of U. S. Harassment

By Milton Lewis
Of The Herald Tribune Staff

Roy M. Cohn's counsel told a Federal judge yesterday:

"When I have an important letter to mail I can not risk having it dropped in my office chute, but actually carry it with me and deposit it in a mailbox far removed from my office.

"When I have phone calls to me pertaining to the case, I leave the office and use a pay booth. When I have to discuss anything important with Mr. Cohn, we leave our offices and go to a place where there is no possibility of concealed recording devices."

Thomas A. Bolan, in an affidavit, so advised Judge Archie O. Dawson, who was before him a defense motion to dismiss the indictment against Mr. Cohn on the ground the government had intercepted the mail of both Mr. Cohn and Mr. Bolan. Mr. Cohn is charged with perjury and conspiring to obstruct justice in a stock fraud case. The government has denied opening and/or reading anybody's mail, saying this would be against the law.

"Although this is the United States of America," the defense counsel's affidavit said, "the totalitarian-like tactics of the Department of Justice as presently administered make me wonder what is happening to our country."

Mr. Bolan, who like Mr. Cohn is a former assistant U. S. attorney, also wrote:

"Never in my wildest dreams could I have imagined that I would have to practice law in the way I am compelled to today in defense of Mr. Cohn."

Mr. Bolan and Mr. Cohn are now law partners.

Besides the affidavit, Mr.

Bolan took the stand—and examined himself. (Mr. Cohn was not in court.) He offered in evidence what he described as the Post Office order pertaining to interception of his mail. And when under cross-examination by Assistant U. S. Attorney Gerald Walbin, Mr. Bolan explained that his wife got a copy of the order from an unidentified substitute mailman delivering mail to their Jamaica, Queens, home. Mr. Bolan:

"On the morning of Feb. 6, at approximately 7:30, she (Mrs. Bolan) said, 'Will you please come inside the bedroom?' She asked me to sit down and said, 'Now, don't worry, it's not about the children.'

"She said that yesterday, Charlie, the regular mailman, was not making his rounds and that there was a substitute man and he asked her if we were living there a long time and she said, 'Yes,' and then he said to her, 'I don't know what this is, but perhaps you should have it.'

"She took it and told me she waited until the next day to tell me about it so that my sleep would not be destroyed."

Mr. Bolan also put on the stand Robert J. Hickey in charge of the Postal Inspection Service here. He testified that a watch had been placed on both Mr. Cohn's and Mr. Bolan's mail from March 29, 1963, to last Feb. 14, and that a watch had been put on mail addressed to the two lawyers' law firm, Saxe, Bacon & O'Shea, at the request of the Internal Revenue Service.

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NY Herald Tribune

EDITION Late City

DATE 2/29/64

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MAR 2 1964
FBI-NEW YORK

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Mr. Wickham emphasized that it was not any mail opened, and said that mail clerk personnel sealed all names and return addresses on these envelopes and sent this data to A. E. Walters, chief of the Intelligence Division of the FBI.

After Mr. Wickham said the average such mail watch was 30 days, he was asked by Mr. Bolan:

"Would you say the order here was most unusual?"

"It was out of the ordinary, yes."

In his affidavit, Mr. Bolan also said:

"All of my files are under double lock and important papers have been removed by me from the office to a safer place. When I wish to discard papers that I have been working on I do not put them in my waste paper basket, but have them removed from the office and destroyed elsewhere."

Judge Dawson, had set the trial date for March 15. The government previously filed answering papers calling the motion "frivolous" and petitioned the court to dismiss it, just as Judge Dawson previously ruled against Mr. Cohn in this case.

In that instance, Mr. Cohn, once chief counsel to the McCarthy Senate Investigating Committee, alleged that the government had "leaked" information to the press and thereby had created a prejudiced climate against him. Judge Dawson found no merit in that contention.

The hearing on the instant motion to dismiss will continue at 10 a.m. today in an unusual Saturday session. This was interpreted to mean that Judge Dawson, mindful of the March 15 trial date, wanted to get the motion hearing over as quickly as possible.

Judge Hits 'Cover' Put on Cohn Mail

The U. S. Attorney's office took a sharp rapping-
Federal judge yesterday for putting a "mail cover" on
Roy M. Cohn's lawyer.

"I think it's terrible," said
Federal Judge Archie G. Dawson. "It smacks of Russia, not
the United States."

His comment came after
Asst. U. S. Atty. Gerald Walpin
admitted his office had re-
quested the Post Office Dept.
to keep a record of the mail re-
ceived by Mr. Cohn, his lawyer,
Thomas A. Bolan, and James
E. Driscoll, a partner in Mr.
Cohn's law firm.

Judge Dawson tentatively
denied a defense motion to
dismiss a perjury and conspir-
acy indictment against Mr.
Cohn, a former assistant U.S.
Attorney.

He is charged with trying to
obstruct justice in the Gov-
ernment's prosecution of a
multi-million-dollar stock
fraud case last year.

The ruling from Judge Daw-
son came after a 2½-hour
hearing to determine whether
the Government had used
questionable ways of getting
information on Mr. Cohn's de-
fense through his attorney.

Asked by Judge Dawson why
the mail cover between early
November and late December

was instituted, Mr. Walpin re-
plied:

"We had information that
Bolan was trying to improper-
ly influence Government wit-
nesses."

Under questioning by Judge
Dawson, Mr. Walpin finally ad-
mitted that the Government
got no useful information from
the mail cover and that the
mail wasn't read.

The Judge then character-
ized the prosecutor as "over-
zealous."

Mr. Bolan then directed
questions at Mr. Walpin and
eventually drew Judge Daw-
son's criticism for "stalling."

The Judge adjured him to
keep his questions confined to
pertinent matters and ridiculed
Mr. Bolan's contention that he
was being harassed.

"Counsel is harassing the
court," the Judge observed. "I
think this is just a stall."

Judge Dawson said he would
accept a memorandum of law
from Mr. Bolan Tuesday at 4
p.m., but that in all probability
the case would go to trial
March 25.

CLIPPING FROM THE

NY *Journal American*
EDITION *Final*

DATE *3-1-64*

PAGE *34*

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58-1232-Sub B

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FBI - NEW YORK	

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COHN MAIL WATCH EMBARRASSES U.S.

Justice Officials Say Case
Has Been Mishandled—
Wrongdoing Is Denied

Special to The New York Times
WASHINGTON, March 1 —
Justice Department officials
said today they were surprised
and disturbed that an assistant
Federal prosecutor in New York
had ordered a mail watch on
Roy M. Cohn and on Mr. Cohn's
lawyer.
The officials said they had
known nothing about the order
and had thought the only mail
check was an unrelated one or-
dered by the Internal Revenue
Service. They evidently
were embarrassed by the
episode.

Mr. Cohn, who is under in-
dictment on Federal perjury
and conspiracy charges, moved
to dismiss the indictment two
weeks ago on the ground that
his mail was being checked. He
produced a copy of a Post Of-
fice order for a mail watch.

Justice Department officials
said here at the time that this
was an Internal Revenue mat-
ter entirely unconnected with
their case against Mr. Cohn.
They strongly denied that the
Justice Department had any
check on his mail.

President Informed

This same information—de-
claring any Justice Department
mail check on Mr. Cohn—was
given to President Johnson last
week as part of the briefing
material for his press confer-
ence yesterday. It was given on
the chance that the President
might be asked about the Cohn
matter. He was not.

Then, yesterday, it was dis-
closed that the mail of Mr. Cohn
and his lawyer, Thomas A. Bo-
lan, had been watched in con-
nection with the perjury-con-
spiracy case.

The disclosure came at a
hearing before District Judge
Archie O. Dawson in New York
on Mr. Cohn's motion to dismiss
the indictment. The Assistant
United States Attorney han-
dling the case, Gerald Walpin,
told Judge Dawson about the
mail watch.

Addresses Noted

Judge Dawson denounced as
"shocking" the placing of a
mail watch on a defendant's
lawyer after an indictment. But
he refused to dismiss the in-
dictment, saying there was no
indication that the Government
had obtained any information
for its case from the mail
watch.

In a mail watch, the Post
Office notes the names and ad-
resses of those who send letters
to the person concerned. Mail
is not opened or read. Checks
of this kind are said to be quite
common law-enforcement de-
vices.

What disturbed officials here
today about the Cohn case was
not the check so much as the
timing and handling of the af-
fair.

Mr. Walpin, the prosecutor,

CLIPPING FROM THE

NY NY TIMES

EDITION Extra City

DATE MAR 2 1964

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NOT FORWARDED BY NY DIVISION ☒

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filed a sworn affidavit in court last week saying that the United States Attorney's office had had nothing to do with the mail-watch order of which Mr. Cohn had produced a copy.

This was the Internal Revenue Service order. Mr. Walpin was therefore correct in saying that his office had had nothing to do with it.

But the impression left with many persons, including Justice Department officials here, they said today, was that no mail order of any kind had been requested by Mr. Walpin or his associates.

Last Friday a postal inspector testified before Judge Dawson about the Internal Revenue mail cover. Postal officials were to testify further the next day and to be questioned by Mr. Bolan.

Superiors Informed

It was on Friday evening, according to officials here, that Mr. Walpin told his superiors that he had requested the mail watch last September after Mr. Cohn was indicted on charges of having lied to a grand jury and of having tried to prevent the indictment of four men in a stock fraud case involving the United Dye and Chemical Corporation.

On Saturday morning Mr. Walpin told Judge Dawson about the mail watch.

The feeling at the Justice Department today was that, while there had not been anything that could technically be called a misstatement, the public position of the Government had been misleading.

One official said in some distress: "It has not been handled well."

The United States Attorney



The New York Times

Roy M. Cohn

in New York, Robert M. Morgenthau, had no comment when asked whether he had known of the second mail cover. He said he could properly speak on the matter only in court.

A spokesman for the United States Attorney's office did say, however:

"There was nothing unusual about the request for the mail cover in the Cohn case. It was handled in a routine way in accordance with the law."

Mr. Walpin had no comment.

He is a graduate of City College and the Yale Law School, where he was managing editor of The Law Journal. He is 32 years old.

(Mount Clipping in Space Below)

U. S. Will Explain Its Mail-Check on Cohn

The U. S. Attorney's office today was writing a detailed explanation of its five-month check on mail addressed to Roy M. Cohn and his attorney, Thomas A. Bolan.

The explanation will be presented to Federal Judge Dawson tomorrow by Asst. U. S. Atty. Walpin, who put the Justice Dept. in an uncomfortable position by ordering the secret-mail-watch last September. He refused to concede that he had done so until last Saturday.

U. S. Attorney Morgenthau would not discuss the embarrassing situation, but it was believed that Walpin would remain in charge of the Cohn prosecution despite unofficial criticism by Justice Dept. officials in Washington.

Walpin's action in ordering the mail check was denounced by Judge Dawson as "a shocking thing," something "that smack of Russia rather than the U. S."

Cohn is scheduled to stand trial March 16 on an indictment that charges he lied to a grand jury and tried to prevent the indictment of four men in a stock fraud case.

Bolan has been given until 4 p.m. tomorrow to submit a memorandum in support of his motion to dismiss the indictment. Walpin's defense of his mail-check will be handed to the court at the same time.

The mail-watch order was given to the Post Office last September by Walpin because, he said, he had information that Bolan and Cohn "were improperly trying to influence government witnesses."

In November the watch on

mail addressed to Bolan and Cohn at their offices was dropped, but it continued on letters sent to their homes until Feb. 14, when Cohn, in a motion to dismiss the indictment, produced a copy of the postal order for a mail-check and charged that this violated his rights.

The Justice Dept. had repeatedly told the court and the press, here and in Washington, that it had nothing to do with the mail-watch order. Strictly speaking, this was true. Cohn had produced an order given to the Post Office by the Internal Revenue Service, which also has been investigating him.

It was not until Saturday, when postal officials were to be cross-examined by Bolan about the mail-check, that Walpin conceded in court that ~~it was~~ ^{he} had ~~ordered~~ ^{issued} a second mail-watch.

(Indicate page, name of newspaper, city and state.)

18 NEW YORK POST

Date: 3/2/64
Edition: LATEST STOCK PRICES
Author:
Editor: DOROTHY SCHIFF
Title: MORTON ROBSON
FORMER AUSA SDNY; ROY
COHN UNDER INVESTIGAT.
Character: BRIBERY
or
Classification: BU 58-5100
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Judge Refuses to Drop Case Against Roy Cohn, Pending Lawyer's Note

However, He Assails Prosecution
For Asking Check on Cohn Mail,
Conceded by Aide at Hearing

NEW YORK—(AP)—A Federal judge tentatively refused to dismiss perjury and conspiracy charges against Roy M. Cohn, who contended his rights had been trampled upon when his mail was intercepted.

It was brought out at a hearing, however, that the "mail cover" had been requested by two Government agencies—the U.S. Attorney's Office here and the Internal Revenue Service.

Judge Archie O. Dawson made his denial contingent upon a memorandum of law he is to receive from Mr. Cohn's lawyer, Thomas A. Bolan.

"Unless my mind is changed by the memorandum, my ruling is to deny the motion on the grounds that the moving party hasn't established any reason for the dismissal of the indictment or suppression of evidence," he said.

Assails Prosecution

The judge also sharply criticized the prosecution for having asked that a record be kept of return addresses and postmarks on Mr. Cohn's mail. "I think it's terrible," Judge Dawson said. "It smacks of Russia, not the United States."

CLIPPING FROM THE

NY Wall St. Journal

EDITION _____

DATE 3-2-64

PAGE 13

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58-1232-Sub A

22-51 [REDACTED]

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Mr. Cohn was indicted Sept. 4 on charges of attempting to obstruct a grand jury's investigation of the United Dye & Chemical Corp. stock fraud. He sought dismissal of the indictment on the allegation that Federal officials intercepted his mail. His lawyer, Mr. Bolan, argued:

"This Department of Justice has become a frightening and menacing threat to fundamental Constitutional guarantees and liberties."

Assistant U.S. Attorney Gerald Walpin conceded on the witness stand that his office, after the indictment, had requested a mail cover on Mr. Cohn, Mr. Bolan and James J. Driscoll, Mr. Cohn's lawyer and partner in the law firm of Saxe, Bacon & O'Shea. Judge Dawson asked why and Mr. Walpin replied:

"We had information that Bolan was trying to improperly influence Government witnesses."

IRS Asked Mail Cover

Postal authorities testified that the Internal Revenue Service had asked for a mail cover on Mr. Cohn and several others. Ostensibly this concerned tax matters.

Postal Inspector Robert J. Hickey told the court that mail isn't delayed or opened in such surveillance. Concerning a copy of a mail cover order Mr. Bolan submitted in support of the dismissal motion, Mr. Hickey testified last Thursday:

"From my own knowledge and from a review of pertinent Post Office records, I can state that no one in the U.S. Attorney's Office requested, advised or in any way was connected with the order produced in Mr. Cohn's motion paper."

Thus, the assistant U.S. attorney's admission during the hearing came as a surprise. Under Judge Dawson's questioning, Mr. Wal-

pin conceded that the Government didn't receive any useful information from the mail cover, and said no mail was read.

The judge characterized the prosecutor as being overzealous, but he said the defense didn't show that evidence should be suppressed.

(Mount Clipping in Space Below)

Mail Check Blamed On Cohn's Lawyer

United States Attorney Robert M. Morgenthau has accused Roy M. Cohn's lawyer, Thomas A. Bolan, of "attempting improperly to influence government witnesses."

For this reason, according to a memorandum filed in Federal Court last night, Morgenthau's office ordered a check on mail sent to Cohn and Bolan.

Bolan called Morgenthau's charge "a complete phony."

The charge that Bolan tried to influence witnesses was contained in a government statement opposing Bolan's motion to dismiss a perjury and conspiracy indictment against Cohn because of the mail check. Cohn contended that the check had "irrevocably deprived" him of a fair trial.

The check also covered mail to Cohn's co-defendant, lawyer Murray Gottesman, and Daniel

Driscoll, a partner in Cohn's law firm.

The prosecution memorandum said:

"After the defendants were indicted, the U.S. Attorney's office received information that defendant Cohn's lawyer, Thomas Bolan, was attempting improperly to influence government witnesses. The government offered to present this evidence to the court in camera.

"The U.S. Attorney's office then requested mail covers of limited duration on the defendant Cohn, defendant Gottesman, Bolan and Daniel Driscoll. The mail cover was put on Bolan not because he was defendant Cohn's attorney, but because of the information he was improperly attempting to influence witnesses who might testify at this trial for the government."

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Mail Cover— U. S. Accuses Cohn Counsel

HOW COULD the U. S. Attorney's office maintain a mail cover on Roy Cohn and Cohn's attorney, Thomas A. Bolan? Here's how: Once the U. S. Attorney requests a mail cover, the postal inspector adheres to Title 39 of the United States Code, Section 3523 (a) (2) (K), which says that the inspector "in any criminal investigation . . . presents facts to the U. S. Attorney's office and collaborates as required with Federal and State prosecutors . . ." Further, a Subchapter of the Postal Manual governs the duties of postmasters and, in Part 831.44 entitled "Mail Cover," says, "Requests by postal inspectors . . . for information regarding the addresses, return cards or post marks on mail, must be treated in strict confidence and complied with carefully and accurately. In obtaining the information, do not delay delivery of mail."

By Milton Lewis
Of The Herald Tribune Staff

The Federal government yesterday accused Thomas A. Bolan, Roy M. Cohn's lawyer, of "attempting improperly to influence government witnesses."

It was for that reason, according to a memorandum filed in Federal Court, that U. S. Attorney Robert M. Morgenthau's office had a mail cover on Mr. Cohn and Mr. Bolan. Mr. Cohn is under indictment for perjury and conspiracy to obstruct justice in a huge stock swindle.

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As for Mr. Bolan, in papers he filed yesterday in hopes of getting the Cohn true bill quashed of the mail cover, he called the allegation that he tried to influence prosecution witnesses "a complete phony."

Judge Archie O. Dawson indicated last Saturday, after two days of hearings on the Cohn motion to dismiss the indictment, that he was inclined not to grant the defense request because there was no proof that anybody's mail had been opened. At the same time, the judge who is scheduled to conduct the trial, set for March 18, called the government's mail interception "shocking" and smacking of Russian tactics.

Yesterday opposing sides submitted memorandums of law, and after Judge Dawson studies these he will make a final decision on his Saturday tentative ruling not to throw the indictment out.

In his papers yesterday, Mr. Bolan, 39, and a former assistant U. S. Attorney with Mr. Cohn, 37, alleged that a mail watch on him and on his client might intimidate defense witnesses. The Cohn prosecution has been handled by Assistant U. S. Attorney Gerald Walpin, and Mr. Bolan contended:

"This case from its very inception has been riddled and polluted with false, misleading and deliberately deceptive statements uttered by Mr. Walpin."

A Cohn co-defendant is

another lawyer, Murray Gottesman, and Mr. Bolan said:

"Mr. Walpin now admits that his sworn testimony that no information was obtained by the U. S. Attorney's office as a result of the mail watch was false. Similarly, he admits that his sworn testimony that he has made 'absolutely no inquiries of anyone based upon any of the information contained in this mail watch' is not true.

"He now admits that when he learned that Mr. Gottesman had received mail from the 'Tinkers National Bank' and 'Columbia Savings,' he caused the FBI to make inquiries of those institutions. Mr. Walpin blames his false testimony on forgetfulness. One wonders how much more Mr. Walpin has forgotten about. The truth has been extracted from him in slow and agonizing gasps."

The prosecution memorandum said:

"After the defendants were indicted, the U. S. Attorney's office received information that defendant Cohn's lawyer, Thomas Bolan, was attempting improperly to influence government witnesses. The government offered to present this evidence to the court in camera.

"The U. S. Attorney's office then requested mail covers of limited duration on the defendant Cohn, defendant Gottesman, Bolan and Daniel Driscoll (a partner in Mr. Cohn's law firm). The mail cover was put on Bolan not because he was defendant Cohn's attorney, but be-

cause of the information he was improperly attempting to influence witnesses who might testify at this trial for the government.

"No mail cover was ever put on Henry Chapman, attorney for defendant Gotesman. The mail covers (were) requested in late September, 1963 (and were) asked to (be) discontinued in November, 1963. The U. S. Attorney's office obtained no information or leads from the mail cover material it received."

The government maintained that all it could get in a mail cover was the name and address of the letter writer.

Mr. Bolan, for Mr. Cohn, also took issue with Mr. Walpin that the Internal Revenue Service was not in-

vestigating Mr. Cohn. Mr. Bolan said:

"Not only has Internal Revenue issued a summons returnable March 11, directing one of Mr. Cohn's partners to produce all of his records concerning Mr. Cohn, but testimony . . . revealed that there is a crew of at least nine Internal Revenue agents working to get Mr. Cohn."

In a separate paper filed by Mr. Morgenthau, he came to the defense of his assistant, Mr. Walpin, praising his ability and integrity, noting:

"The rest of defendant Cohn's personal attacks on Mr. Walpin were baseless, reckless and complete distortions of the record. There was no interference with defendant Cohn's right to counsel, nor did the government obtain any unfair advantage over defendant Cohn."

(Mount Clipping in Space Below)

U.S. AGAIN ADMITS COHN MAIL WATCH

Papers Filed With Judge
Argue Indictment Is Legal

By EDWARD RANZAL

United States Attorney Robert J. Morgenthau said again yesterday that he had placed a limited mail watch on Roy M. Cohn and his lawyer after receiving information that the lawyer attempted to influence Government witnesses improperly.

The statement was made in papers submitted to Federal Judge Archie O. Dawson in opposition to a motion by Mr. Cohn to dismiss a perjury and conspiracy indictment because of the mail watch.

Mr. Cohn also filed papers, contending that the mail check on his lawyer, Thomas A. Bolan, had "irrevocably deprived him of a fair trial and had interfered with his right to counsel."

Requested by Court

Judge Dawson had requested that the papers be filed by 4 P.M. yesterday. Members of Mr. Morgenthau's staff, after a long conference, filed the document with the court clerk at 3:15 P.M., 15 minutes after Judge Dawson had left his chambers.

The papers also contained an affidavit by Mr. Morgenthau defending the action of Gerald Walpin, the assistant United States Attorney in charge of the prosecution.

The Government acknowledged that none of the information gathered from the mail watch had been productive.

The pretrial controversy continued to take many twists and turns.

Last Friday, at a hearing before Judge Dawson, Mr. Walpin admitted that a mail watch had been instituted by the Internal Revenue Service on Mr. Cohn, Mr. Bolan and their law firm, Saxe, Bacon & O'Shea.

The watch on the firm was dropped one month after it started a year ago. The check on the two others was continued until Mr. Cohn filed his motion papers several weeks ago.

At the Friday session Mr. Walpin did not disclose that the United States Attorney's office itself had requested a second mail watch that ran from September to November, 1963.

Judge Is Shocked

At the opening of the Saturday session, Mr. Walpin, under questioning by Judge Dawson, admitted the mail watch by his office because of the alleged interference with Government witnesses. Judge Dawson said he was shocked to learn a defendant's lawyer was included in the second mail watch.

This apparently had come as a surprise also to the Justice Department, which had briefed President Johnson on the situation prior to his press conference last Saturday.

On Monday Mr. Walpin wrote Judge Dawson that he had reviewed the mail watch information after Saturday's session and had discovered his failure to tell the court of a mail watch on Mr. Cohn's co-defendant, Murray E. Gottesman, another lawyer.

He said that he had received the names of two of Mr. Gottesman's banks from postal officials but that the leads had proved negative.

U. S. Defends Action

In its papers filed yesterday, the Government denied that it had interfered with any communications between Mr. Cohn and Mr. Bolan. It argued:

"Surely the Sixth Amendment [the right to counsel] should not force the Government to sit idly by while violations of Federal laws are being committed. No such immunity accrues from the mere fact that the conduct in question occurs during the pre-trial period and involves the defendant Cohn's attorney."

In his papers, Mr. Cohn, former chief counsel to the Senate Investigating subcommittee headed by the late Senator Joseph R. McCarthy, charged the Government with deceit.

Heretofore, the courts have ruled that a mail watch on a defendant by the prosecution is not illegal. Mr. Cohn leaned heavily, however, on the fact that the watch included his lawyer during a period when he was already under indictment.

Mr. Cohn contended that the "basic evil" of the mail watch on Mr. Bolan "is not just that the Government may improperly obtain evidence but, even worse, it may enable the Government to learn of defense preparations."

The indictment charges Mr. Cohn and Mr. Gottesman with lying before a grand jury and conspiring to prevent the indictment of four men in the United States Dye & Chemical Corporation stock fraud case.

Judge Dawson has scheduled the trial for March 16.

(Indicate page, name of newspaper, city and state.)

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COHN MAIL: BOLAN ASKS SHOWDOWN

By William L. ...
The affidavit ... in the
New M. C. ... perjury-con-
spiracy case continued space
yesterday.

Incensed at being "smeared"
by the government, Mr.
Cohn's counsel, Thomas A.
Bolan, called for a public
hearing—as distinct from a
secret one—to show the
"businessness" of the accusa-
tion: that Mr. Bolan at-
tempted to influence prosecu-
tion witnesses.

Mr. Bolan filed this fresh
affidavit with Federal Judge
Archib O. Dawson one day
after U. S. Attorney Robert
M. Morgenthau's office
dropped papers with the same
judge making the charge
against the defense lawyer.
And, the prosecutor alleged,
it was because Mr. Bolan at-
tempted to interfere with
witnesses that a mail cover
was put on both him and Mr.
Cohn, his law associate.

It was the mail cover busi-
ness that prompted the de-
fense to petition last week for
dismissal of the indictment.

... Mr. Bolan. The gov-
ernment contends that it did
not open anybody's mail and
that it got no leads from the
interceptions. Judge Dawson
has reserved decision on the
dismissal request, though he
has termed the mail inter-
ception tactics worthy of
Soviet Russia. He also took
under advisement yesterday's
request for a public hearing.

Meanwhile yesterday, the
New York Civil Liberties
Union's board of directors
condemned the mail check
and called for an inquiry by
the Grievance Committee of
the Association of the Bar of
the City of New York. The
Union said:

"... an Assistant U. S.
Attorney intimated ... to
the court that his office had
not ordered a check on mail
addressed to Roy Cohn or his

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~~attorney~~ Mr. Bolan. In doing so, he misled the court and was guilty of inexcusable evasion and lack of candor.

"The failure of the U. S. Attorney to reprimand his assistant's flagrant violation of the lawyer's ethical duty or to replace him in the prosecution of the case may be construed as condonation."

Mr. Bolan advised, in his latest affidavit:

"The government's attempt to now smear me is not surprising. Anyone who gets in the way of its vendetta against Mr. Cohn runs this risk. . . . In view of the serious nature of the government's charges against me and of their adverse effects on Mr. Cohn, it is respectfully requested that the court hold a public hearing on this issue in order that the baseless-

ness of these accusations may be demonstrated."

Mr. Cohn, now 37 and former chief counsel to the McCarthy Senate Investigating Committee, is under indictment for perjury and conspiracy to obstruct justice in a stock fraud inquiry. If he loses his dismissal motion, the trial is set for March 16. Previously, Judge Dawson denied a defense motion to quash the indictment on the ground that the government had "leaked" information about the case to the press.

(Mount Clipping in Space Below)

Cohn Lawyer Asks U. S. Judge To 'Expose' Case Against Him

By EDWARD RANZAL

Roy M. Cohn's lawyer asked properly influenced any witness yesterday to hold "a public hearing" on the Government's mail charges that he had attempted improperly to influence some of its witnesses.

The lawyer, Thomas A. Bolan, made the request in papers filed with Judge Dawson. The Government has said that this is why it ordered a limited mail watch on Mr. Bolan.

Mr. Cohn has asked Judge Dawson to dismiss a perjury and conspiracy indictment against him because of the mail watch on his attorney after he was indicted. A mail watch was also placed on Mr. Cohn, former chief counsel to the Senate Investigating subcommittee headed by the late Senator Joseph R. McCarthy.

Mr. Bolan said the office of United States Attorney Robert M. Morgenthau "has offered to submit its information about me 'in camera,'" and asked: "What does it wish to hide?"

"In view of the serious nature of the Government's charges against me and of their adverse public effects on Mr. Cohn," he went on, "it is respectfully requested that the court hold a public hearing on this issue in order that the baselessness of these accusations may be demonstrated."

The lawyer, asserting that "the United States Attorney's office has done too many improper things in secret and their practices here should be publicly exposed," declared:

"A public hearing will establish conclusively not that I im-

properly influenced any witness yesterday to hold "a public hearing" on the Government's mail charges that he had attempted improperly to influence some of its witnesses.

"As in many other instances, the Government here is falsely accusing Mr. Cohn of exactly the conduct of which it has been guilty."

Perjury Alleged

Mr. Cohn and a co-defendant, Murray E. Gettermann, another lawyer, are accused of lying to a grand jury and plotting to prevent the indictment of four men in the United Dye & Chemical Corporation stock fraud case.

Mr. Bolan said: "The Government's attempt to now smear me is not surprising. Anyone who gets in the way of its vendetta against Mr. Cohn runs this risk. The malevolent forces which directed and executed the tactics exhibited during the pending application are the same which produced Mr. Cohn's indictment."

Judge Dawson has scheduled the trial for March 16. In another development, the board of directors of the New York Civil Liberties Union condemned the action of the United States Attorney's office in ordering a mail check on Mr. Cohn and Mr. Bolan. The organization said, "We believe an inquiry should be conducted by the grievance committee of the Bar Association."

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Big Brother

IN THE CASE of the United States vs. Roy M. Cohn, a New York lawyer and businessman, a totally reprehensible maneuver on the part of the Government has come to light.

This is the "watch" that was placed on mail addressed to Mr. Cohn and his attorney.

In a so-called "mail watch" Post Office officials maintain a check on the names and addresses of those who correspond with a particular person.

Regardless of the merits of the Government's case against Mr. Cohn, who is under indictment on federal perjury and conspiracy charges, such methods smack of the worst aspects of secret policing.

How much other mail is being watched?

The mail, as the telephone, should and must be inviolate except in the execution of a clearly defined court order.

That is the American way.

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Roy Cohn 'Entitled' To Trial

By Milton Lewis

Of The Herald Tribune Staff

Despite the government's interception of his and his lawyer's mail, Roy M. Cohn must stand trial on perjury and conspiracy charges.

Federal Judge Archie O. Dawson, assigned to conduct the March 18 trial for Mr. Cohn and his co-defendant, Murray E. Gottesman, made this ruling yesterday and observed:

"It is shocking to the conscience to think that the government, after an indictment is filed, may put a mail watch on the attorney for the defendant which might, in some cases, possibly lead to discovery of steps defense counsel was using in preparing for trial. There was no indication that any such result eventuated from the mail watch in question."

For that reason, Judge Dawson denied a motion by Thomas A. Bolan, Mr. Cohn's counsel, to dismiss the indictment, returned last September. The defense was equally unsuccessful in a previous motion to have the true bill quashed because the prosecution had "leaked" information to the press. Judge Dawson found no merit in that defense contention either.

In yesterday's decision, the court found that nobody's mail was opened or delayed during the late September to November, 1963, interceptions. He further concluded that the government obtained no leads or evidence from the mail watch, and therefore there was no evidence to suppress.

The judge wrote:

"If that mail watch had resulted in determining the nature of communications between the attorney and his client it might well have interfered with the further progress of this case."

Mr. Cohn and Mr. Gottesman are accused of perjury and conspiracy to obstruct justice by allegedly attempting to stop the indictment of four other persons in the huge United Die & Chemical Corp. stock fraud case. On that score, Judge Dawson concluded:

"Both defendants are lawyers. . . . A dismissal of the indictment on a technical ground would never be sufficient to clear their reputations. They are entitled to a trial. Likewise, the government and the public is entitled that the charges be tried so that the truth may be ascertained. Under the circumstances there has been . . . no basis for the dismissal of the indictment."

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~~Cohn Formally Loses~~ Bid to Get Conspiracy, Perjury Case Dropped

Judge Is Not Persuaded by Final
Brief, Despite Defense Charge
Government 'Intercepted' Mail

By a WALL STREET JOURNAL Staff Reporter

NEW YORK — Federal District Judge Archie O. Dawson formally declined to dismiss perjury and conspiracy charges against attorneys Roy M. Cohn and Murray E. Gottesman. The judge indicated he expects the case to go to trial March 16 as scheduled.

Last week, Judge Dawson tentatively refused to dismiss the indictment, despite the defense's contention that mail addressed to Mr. Cohn and his counsel and law partner, Thomas A. Bolan, had been "intercepted" by the Government. A final brief filed by Mr. Bolan this week failed to change the judge's mind.

Assistant U.S. Attorney Gerald Walpin conceded during a hearing on the defendants' dismissal motion that his office had requested a mail cover on Mr. Cohn and members of his law firm, Saxe, Bacon & O'Shea. Postal authorities also testified that the Internal Revenue Service had obtained a mail cover, apparently for reasons not connected with the indictment.

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The mail cover consisted of having a postal employee record return addresses and postmarks on first-class mail destined for Mr. Cohn and his associates. Judge Dawson noted that the cover requested by the U.S. Attorney's office apparently ended last November, and that the one asked by the IRS evidently was dropped last month, when the defendants moved for dismissal of the indictment on the ground of mail interception.

Judge Dawson said there was no evidence that mail had been opened and read and that a mail cover wasn't a violation of the defendants' Constitutional rights. But he commented, "The judgment of the assistant U.S. attorney in directing a mail watch to be placed on the attorney for the defendant may well be questioned."

The judge termed it "shocking to the conscience" to think that a mail cover imposed after an indictment might "lead to discovery of steps defense counsel was using in preparing for trial." But he said there was no indication that the mail covers in the Cohn case had such results.

Mr. Cohn and Mr. Gottesman were indicted last September on charges of attempting to obstruct a Federal grand jury investigation of the United Dye & Chemical Corp. stock fraud.

Judge Dawson, in denying the dismissal motion, added, "When serious charges are made against professional men, they should have an opportunity to defend themselves. A dismissal of an indictment on a technical ground would never be sufficient to clear their reputations. They are entitled to a trial. Likewise, the Government and the public is entitled that the charges be tried so that the truth may be ascertained."

(Mount Clipping in Space Below)

COHN LOSES PLEA OVER MAIL WATCH

Judge Finds No Violations of
Constitutional Rights

By EDWARD RANZAL

Federal Judge Archie O. Dawson denied yesterday a motion by Roy M. Cohn to dismiss the perjury and conspiracy indictment against him because of a mail watch.

Judge Dawson ruled that no law or constitutional right had been violated by the mail watch on Mr. Cohn and his lawyer, Thomas A. Bolan. The watch had been ordered by the office of United States Attorney Robert M. Morgenthau.

The judge, in his ruling, declared:

"It is shocking to think that the Government, after an indictment is filed, may put a mail watch on the attorney for the defendant which might, in some cases, possibly lead to discovery of steps defense counsel was using in preparing for trial."

Judge Dawson said, however, that there was no indication that the watch brought such a result.

The trial of Mr. Cohn and a co-defendant, Murray E. Gottesman, is scheduled for March 18. They are accused of lying to a grand jury and attempting to prevent the indictment of four men in the stock fraud case

involving the United Dye and Chemical Corporation.

Mr. Cohn filed his motion for dismissal of the indictment after Mr. Bolan had come into possession of a Post Office Department form indicating a mail watch on him.

A two-day hearing was held by Judge Dawson last week. On the first day a post office supervisor said that the Internal Revenue Service had made a mail watch on Mr. Cohn, Mr. Bolan and their law firm, Saxe, Bacon & O'Shea.

The next day, under questioning by Judge Dawson, Gerald Walpin, Assistant United States Attorney, told the court that the United States Attorney's office had placed a second mail watch on Mr. Cohn, Mr. Bolan and Mr. Gottesman after the indictment had been filed.

He explained that the mail watch on Mr. Bolan had been made after the Government had been informed that he had attempted to influence Government witnesses. That was denied by Mr. Bolan.

Entitled To A Trial

Judge Dawson, pointing out that both defendants are lawyers, said:

"When serious charges are made against professional men, they should have an opportunity to defend themselves. A dismissal of the indictment on a technical ground would never be sufficient to clear their reputations."

"They are entitled to a trial. Likewise the Government and the public is entitled that the charges be tried so that the truth may be ascertained. Under the circumstances there has been in this case no basis for dismissal of the indictment."

The action by Mr. Morgenthau's office had also been criticized by the Civil Liberties Union and by members of the Legislature.

(Indicate page, name of newspaper, city and state.)

1 NEW YORK TIMES

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Mr. Cohn was asked if he had ever employed a mail watch when he was a lawyer with the Justice Department and chief counsel to the Senate investigating subcommittee headed by the late Senator Joseph R. McCarthy.

Tough But Fair

"I absolutely never employed a mail cover or thought of it," he declared. "I never ordered or condoned a mail cover or wire tap or anything else of that nature. The ends of justice were several in a tough but fair way. I never used illegal means."

In his six-page opinion, Judge Dawson made the following points:

¶Neither the Government nor anyone in the post office had ever opened or read mail addressed to Mr. Cohn or his lawyer, Thomas A. Bolan.

¶There was no evidence of any delay in the delivery of the mail.

¶There was also no evidence that there was a mail watch on any outgoing mail. It was confined to incoming letters.

¶Inasmuch as there was no evidence obtained as a result of the mail watch, there was no evidence to suppress.

¶Under post office regulations the use of a mail watch is not a violation of the constitutional rights of the defendant.

Violation Not Proved

Judge Dawson said that Mr. Cohn had not proved that there was any violation of the law or of his constitutional rights. He added:

"The judgment of the assistant United States attorney [Gerald Walpin] in directing a mail watch to be placed on the attorney for the defendant may well be questioned.

"If that mail watch had resulted in determining the nature of communications between the attorney and his client it might well have interfered with the further progress of this case."

Robert Morris, counsel for Defenders of American Liberties, a right-wing civil liberties group incorporated in Illinois, said in a statement during a trip to New York yesterday:

"The Department of Justice's monitoring mail of defense counsel after an indictment is utterly reprehensible and is certainly ground for dismissing the action against Roy M. Cohn. The right of a defendant is one of the most precious possessions in our legal firmament."

Mr. Morris's group had urged last September that a special American Bar Association or Congressional inquiry be set up to study Mr. Cohn's charges that "political revenge" lay behind his perjury indictment.

Mr. Morris, a Dallas lawyer, was formerly counsel to the Senate Internal Security subcommittee and is now seeking the Republican nomination for United States Senator from Texas.

**Cohn Adds Buffalo Lawyer;
Delay in Trial to Be Asked**

Roy M. Cohn has retained Frank G. Raichle Jr., a Buffalo lawyer, to help defend him in his Federal Court trial on a perjury and conspiracy indictment.

In confirming this yesterday, Mr. Raichle said that he and Thomas A. Bolan, who has represented Mr. Cohn in the pre-trial proceedings, would work together during the trial.

It is scheduled to begin on March 16 before Federal Judge Archie O. Dawson. But Mr. Raichle, who was retained Friday, said he would ask a week's postponement to complete his preparations.

Mr. Cohn and Murray E. Gottesman, a co-defendant and lawyer, are charged with lying to a grand jury and with plotting to prevent the indictment of four men in the United Dye and Chemical Corporation stock fraud case.

Mr. Raichle is an old friend of Mr. Cohn.

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Cohn Picks Legal Ace To Head His Defense

Roy M. Cohn, who charges he is the target of a personal vendetta on the part of U.S. Attorney General Robert F. Kennedy, has retained a veteran legal eagle to defend him against a charge of conspiracy to obstruct justice and a perjury rap, THE NEWS learned yesterday.

His new chief mouthpiece is 66-year-old Frank C. Raichle, who successfully defended John C. Montana, a delegate to the 1957 Apalachin crime convention.

Defense Reshuffled

Raichle won a U. S. Supreme Court reversal of a lower court verdict that Montana was guilty of conspiracy in attending the Apalachin conference. Montana, before his Apalachin role came to light, had been chosen "Man of the Year" in Buffalo.

Cohn apparently reshuffled his defense battery because last Thursday he lost his plea to have the government's indictment thrown out of Federal Court. Now it is certain that he must stand trial.

Previously, his law partner, Thomas Bolan, had represented Cohn.

The trial is set for March 16, but Raichle said he will seek a week's delay.

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A New Lawyer for Roy Cohn

Roy M. Cohn hired a new lawyer yesterday. He's Frank Godfrey Raichle, of Buffalo, formerly Special Prosecutor of Erie County, and often called the "Tom Dewey of Buffalo." He was appointed by the late Gov. Herbert Lehman in 1937, and successfully prosecuted Buffalo's Mayor in 1938 as well as several city officials in a citywide graft scandal.

He also represented accused Appalachian delegate John C. Montana and won an acquittal on appeal of the conspiracy charges against the former Republican city councilman.

He will be "co-counsel with Mr. (Thomas) Bolan" Mr. Cohn said yesterday. It was rumored that Mr. Raichle was replacing Mr. Bolan as Mr. Cohn's attorney. This was denied. "Mr. Bolan is to be a defense witness," Mr. Cohn said "and he will also be co-counsel."

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A New Lawyer for Roy Cohn

Roy M. Cohn hired a new lawyer yesterday. He's Frank Godfrey Raichle, of Buffalo, formerly Special Prosecutor of Erie County, and often called the "Tom Dewey of Buffalo." He was appointed by the late Gov. Herbert Lehman in 1937, and successfully prosecuted Buffalo's Mayor in 1938 as well as several city officials in a citywide graft scandal.

He also represented accused Appalachian delegate John C. Montana and won an acquittal on appeal of the conspiracy charges against the former Republican city councilman.

He will be "co-counsel with Mr. (Thomas) Bolan" Mr. Cohn said yesterday. It was rumored that Mr. Raichle was replacing Mr. Bolan as Mr. Cohn's attorney. This was denied. "Mr. Bolan is to be a defense witness," Mr. Cohn said "and he will also be co-counsel."

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Sen. Long Hits Postal Spying

Washington, March 11 (AP)—Sen. Edward V. Long (D-Mo.) accused federal officials today of using "police state techniques," and asked Congress to make use of "mail covers" by postal employees a crime.

Long introduced a bill which would impose a fine of up to \$100

and imprisonment of up to a year "for any postal employee convicted of leaking out such a 'cover' or releasing information obtained by one."

In a Senate speech, Long described mail covers as "a controversial Post Office Department practice whereby a record is kept of all mail an individual receives." Long said he desired to request legislation after recent disclosure that two federal agencies had imposed mail covers on Roy Cohn, former Senate attorney and investigator, and Cohn's counsel and law associate. Cohn faces a perjury and conspiracy charge in a federal court in New York City.

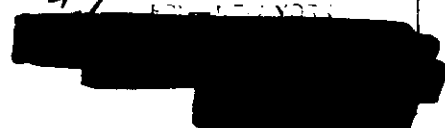
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SENATOR URGES BAN ON U.S. MAIL CHECKS

WASHINGTON, March 11 (AP) — Senator Edward V. Long, Democrat of Missouri, accused Federal officials today of using "police state techniques" and asked Congress to ban mail checks by postal employees.

Senator Long introduced a bill that would impose fines up to \$100 and imprisonment of up to a year "for any postal employee convicted of carrying out such a 'cover' or disclosing information obtained by one."

He said top postal officials conceded that in 1962 the department had 500 to 750 checks in effect at one time.

In a Senate speech Mr. Long described mail checks as "a controversial Post Office Department practice involving the recording of the name and address of the sender, postmarks and other data on all mail sent to a particular address or person."

Such mail checks, Mr. Long said, "illegally violate individual privacy." He added that Postmaster General John G. ...

nouski and Louis J. Doyle, general counsel for the Post Office Department, have rejected his requests that the mail checks be stopped, or at least be subjected to prior court approval.

Mr. Long said he decided to request legislation after recent disclosure that two Federal agencies had imposed "mail covers" on Roy M. Cohn, former Senate attorney and investigator, and Mr. Cohn's lawyer.

Mr. Cohn faces a perjury and conspiracy charge in a Federal Court in New York City.

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U.S. Says Gambler Paid Cohn to Kill United Dye Charges

Little-Noted Documents Describe Alleged Bribery; Cohn Trial For Perjury to Open Monday

By ED CONY

Staff Reporter of THE WALL STREET JOURNAL

NEW YORK—In the highly volatile case against Roy M. Cohn, which goes to trial here Monday, the U.S. Government contends Mr. Cohn journeyed to Las Vegas in 1959 and received bribe money from a big-time Nevada gambler—right after the gambler and three of his friends escaped indictment in the \$5 million United Dye & Chemical Corp. stock fraud case.

The bribery accusation promises to sharpen the acrimony which has been building up between Mr. Cohn and the Government since September, when the nationally known businessman and aide of the late Sen. Joseph McCarthy was indicted along with Murray Gottesman, another New York lawyer. That indictment does not charge Mr. Cohn with being involved in a bribe. It does charge him with lying to a Federal grand jury, getting others to lie too and, in the process, conspiring to obstruct justice. Both Mr. Cohn and Mr. Gottesman have pleaded innocent to all the charges.

Ironically, the Government contention Mr. Cohn took part in a bribe attempt is revealed in a bill of particulars which he himself sought. He got it after complaining to Federal Judge Archie Dawson that the indictment was not specific enough.

With Mr. Cohn and Government prosecutor Gerald Walpin each complaining the other has been attempting to "try the case in the newspapers," it is ironic too that the allegation that Mr. Cohn took money from the Nevada gambler has been undisclosed until now, although it has been a matter of public record since December. That's when the bill of particulars was filed—and tucked away—in a dusty records room on the fifth floor of the Federal Court House here.

Charges of Document Tampering

The document also paints a picture of a plot in which the conspirators "suppressed, altered and destroyed documents necessary to the grand jury investigation," summoned home from Europe a kingpin gambler and ex-bootlegger and intimidated witnesses in cities from the Atlantic to the Pacific—and on airplane flights between the two coasts.

But the bill of particulars is especially interesting when analyzed alongside the 47-page indictment. Such a study reveals a good deal about the complex case the Government will try to prove.

The case spans a period from 1955 through 1960, an interval during which Mr. Cohn was chairman of United Dye. At age 32, he held important stock positions and directorships in other corporations and also found time to promote championship boxing bouts.

To follow the twists and turns of the Government's case, it helps to assemble in chronological order the facts, as alleged by the Government. It must be remembered, of course, that it is up to the Government to prove a good many of these "facts." With this cautionary proviso in mind, here is the chronology:

In 1955 Alexander Guterman and a group of Nevada promoters and gamblers came into control of United Dye & Chemical. Soon, they were merrily manipulating the company's stock, which at the time was traded on the New York Stock Exchange.

Through mergers with other companies they controlled—companies of little or no value—they issued large quantities of new United Dye stock which they promptly peddled to the public at prices far above the actual worth of the shares. Before their fraud had run its course, they'd bilked investors out of about \$5 million.

United Dye Culprits

By 1959, Government agencies were closing in on the United Dye culprits. A Federal grand jury in New York was hearing testimony, and among those nervously aware of this investigation were four men who had played important roles in the United Dye fraud: Samuel Garfield, a gambler and promoter; Irving Pasternak, his partner; Allard Roen, an executive of the Desert Inn, a luxurious Las Vegas hotel and casino, and Allen K. Swann, their attorney.

In August 1959 the grand jury indicted seven men in the United Dye case. But, strangely enough, none of the Garfield-Roen gambling group was named. The Government claims this omission was no accident.

It maintains Mr. Cohn "entered into a scheme" with Garfield whereby Mr. Cohn would see to it Garfield and his three friends would not be indicted. It was Garfield who paid money to Mr. Cohn in September 1959, the Government alleges.

How, in the view of the Government, did Mr. Cohn do it? Despite its 47 pages, the Government indictment of Messrs. Cohn and Gottesman is extremely vague on this point. It does, however, contain hints of what the Government contends happened. Example: It says that in August 1959, the month the United

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meeting took place in a two-story building
with a "pilot" and a "pilot."

Those dozen witnesses include four of Mr. Coburn's law partners, his accountants and his

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(Mount Clipping in Space Below)

**COHN TRIAL PUT OFF
UNTIL NEXT MONDAY**

Roy M. Cohn's trial on charges of perjury and conspiracy to obstruct justice was postponed yesterday to next Monday.

Mr. Cohn and a co-defendant, Murray E. Gottesman, had been scheduled to go on trial yesterday. Federal Judge Archie O. Dawson granted the adjournment because Mr. Cohn recently retained Frank G. Raichle of Buffalo to represent him, and Mr. Raichle, who is in Miami Beach, had told Judge Dawson he needed the additional week to prepare for trial.

Judge Dawson denied a motion by Mr. Cohn to adjourn the case for two months. Mr. Cohn contended that the showing of a film entitled "Point of Order," consisting of extracts from the 1954 Army-McCarthy Senate hearing, had created a prejudicial atmosphere.

Mr. Cohn was chief counsel to the Senate Investigating subcommittee headed by the late Senator Joseph R. McCarthy.

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18 NEW YORK TIMES

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Cohn, Gottesman Trial Delayed Until Monday Due to New Attorney

But Court Won't Adjourn Session For Two Months; 'Prejudicial Atmosphere' Claimed by Defense

By a WALL STREET JOURNAL Staff Reporter

NEW YORK—The trial of Roy M. Cohn and Murray E. Gottesman on charges of perjury and attempting to obstruct justice was adjourned until next Monday.

Federal Judge Archie O. Dawson granted a defense motion to delay the trial for a week to permit a new Cohn attorney to become familiar with the case, but he turned down a defense motion for a two-month delay.

The longer delay was sought by the defense because of what was described as "an extremely prejudicial atmosphere" against Mr. Cohn in New York.

Contributing to this atmosphere, according to Mr. Cohn's attorneys, was the exhibition in the area of a movie, Point of Order, compiled from film clips of the televised Senate hearings on the dispute between the late Sen. McCarthy and the Army. Mr. Cohn was chief counsel for Sen. McCarthy's committee. The hearings resulted in Senate condemnation of Sen. McCarthy's methods of investigating alleged subversive activities.

Brought Into Case

The new Cohn attorney, Frank G. Raichle, Jr., of Buffalo, was brought into the case about 10 days ago. A long-time friend of Mr. Cohn, he will be co-counsel with Thomas A. Bolan, a partner in Mr. Cohn's New York law firm, Saxe, Bacon & O'Shea. However, Mr. Bolan made clear that Mr. Raichle will be the "top man" acting for Mr. Cohn. Mr. Gottesman's attorney is Henry K. Chapman.

Mr. Cohn and Mr. Gottesman were indicted by a Federal grand jury last September, as an aftermath of the \$5 million United Dye & Chemical Corp. stock-fraud case.

Mr. Cohn and Mr. Gottesman pleaded innocent to all the charges.

The selection of jurors will be the first action when the trial resumes.

Mr. Bolan complained that the Internal Revenue Service had been seeking information about Mr. Cohn from banks, insurance companies and other financial institutions. Mr. Bolan also said Mr. Cohn's legal clients were being questioned by agents of the Federal Bureau of Investigation.

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But the request rested mainly on the recent exhibition of Point of Order.

Mr. Bolan said the movie "resurrects all the old prejudices and controversies." He displayed a letter from Sen. Mundt (R., S.D.), a member of the committee that conducted the Army-McCarthy hearings. Mr. Bolan said Sen. Mundt found that the movie was "most unfair" to Mr. Cohn and that it didn't reflect the attorney's true role in the proceedings. Mr. Bolan also declared movie reviewers had referred to Sen. McCarthy and Mr. Cohn in "derogatory" terms.

Raised Same Issues

Assistant U.S. Attorney Gerald Walpin opposed the adjournment. He contended Mr. Bolan had raised the same issues before and had been turned down by the judge. Mr. Walpin charged that the defense's motive in bringing them up again was to provide "headlines" that would influence prospective jurors in Mr. Cohn's favor.

Judge Dawson said a person whose prejudices had been aroused by the film would be excluded from the jury.

But the judge remarked, "I don't see that the fact this motion picture has been shown in New York means we can't get 12 jurors who aren't prejudiced. I think in New York we may be able to pick 12 jurors who never heard of Mr. Cohn. That may annoy Mr. Cohn, but it may be true."

Point of Order, which had a 10-week premiere run in New York's Beekman Theatre beginning in January, is just getting into general release. It is running in Boston and is due to arrive at another New York theater within a week or so. Theaters in San Francisco, Los Angeles, Washington, Chicago and elsewhere are slated to get the movie soon.

The film's producers and distributors insist that general release just as Mr. Cohn's trial is beginning is coincidental.

The movie was pieced together by Emile DeAntonio, a New York director and producer, and Daniel Talbot, owner of a New York theater, the New Yorker. The partners worked on the project from the spring of 1961 to August 1963, according to Mr. Talbot, and succeeded in getting the film shown at the Lincoln Center film festival in New York last fall. Mr. Talbot says the film was accepted for the festival before Mr. Cohn was indicted. Point of Order wasn't shown to the public, however, until Sept. 14, 10 days after the indictment.

The movie opened at the Beekman in January and was picked up that month for nationwide distribution by Walter Reade-Sterling, Inc.

Mr. Cohn saw Point of Order twice during its Beekman run. He said it was "prejudicial" and "one-sided," and added: "I liked Sam Jones better."

The View for Roy Cohn: Courtroom's Other Side

By Albin Krebs
Of The Herald Tribune Staff

Back in 1947, when he was only 20, Roy Cohn—having whizzed through both Columbia College and Columbia Law School—needed some place to grow "old"—old enough to be admitted to the bar. His father Albert was a State Supreme Court judge and an influential Democrat and so it was no problem for Roy Marcus Cohn to get a \$1,700-a-year job as a clerk-typist in the office of the U. S. Attorney for the Southern District of New York.

Being Roy Cohn, Roy Cohn went far fast. Soon he was confidential assistant to the U. S. Attorney, and after he turned 21 and was admitted to the bar the "brilliant, arrogant young man," as a co-worker called him, was turned loose in the courtroom.

Hopping from one prosecution triumph to another, chiefly in cases involving second-string Communists, Mr. Cohn built up a reputation as a formidable Red-chaser, and in 1953 he joined the investigative staff of Sen. Joseph R. McCarthy.

Mr. Cohn's meteoric career as the late Senator's chief "torquemada," his eclipse—and that of Mr. McCarthy—in the Army-Schine hearings, and Mr. Cohn's subsequent firing are now all history.

Tomorrow, Roy M. Cohn will leave the nine-room Park Avenue apartment he shares with his widowed mother for Foley Square and the U. S. Court House. A situation not without irony, for Mr. Cohn will enter a courtroom where he has scored many prosecution triumphs but where, tomorrow, he goes on trial charged with perjury and conspiracy to obstruct justice. The government claims he went to Las Vegas in 1959 and accepted bribe money from a gambler just after the gambler and three of his friends escaped indictment in the \$5 million United Dye & Chemical Corp. stock fraud case.

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